



LODI WINEGRAPE COMMISSION
GOVERNING DOCUMENTS, POLICIES & PROCEDURES
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Strategic Direction

2021 - 2024



Vision

To be the most dynamic region in California for winegrowing and winemaking, so that our community is full sustained for generations to come.

Mission

To empower all Lodi Crush District 11 winegrowers and serve their common interests to enhance the profitability of winegrape production through promotion, research, and education.

Core Values

Unity - We collaborate and challenge each other to be our best.

Heritage - We honor our history by building on the accomplishments and wisdom of generations before us.

Sustainable - We respect our land and invest in our community to ensure the longevity of both.

Innovation - We embrace progress by spearheading new technology, initiating research, and implementing modern ideas.

Leadership - We inspire our industry and cultivate and encourage future generations to exceed our legacy.

What we do

We sustain

We empower

We collaborate and challenge

We honor

We respect and invest

We embrace, initiate and implement

We inspire, cultivate and encourage

Strategic Priorities

Active Winery Group with a Clear Vision

Fostering a culture of success to brand Lodi, an active and engaged winery group makes the region stronger.

Objectives

- Build consensus among winery peers to engage strategic priorities, champion the vision and Lodi brand.
- Engage grower marketing committee to align and support strategic priorities.
- Foster relationships with elected officials and other agencies to create understanding of winery marketing needs.

Initiatives

- Recruit a dedicated winery marketing committee representative of all wineries in the Lodi AVA.
- Evaluate long and short-term funding objectives and consider a task force for each within the winery marketing committee.
- Proactively connect with winery peers in a variety of ways – group meeting, written communication, one-on-one visits, etc. – to discuss strategic direction and earn respect and support for moving short-term and long-term objectives forward.
- Develop Lodi winery advocates who embrace the strategic priorities, champion the necessity of sustainable funding and integrate Lodi campaigns into their individual winery brand marketing plans.
- Develop a series of in person and virtual educational seminars designed to expand Lodi wine education and strengthen quality.
 1. DTC
 2. Hospitality Audiences
 3. Lodi Wine Community
 4. Distributor and Sales Team

Sustainable and Equitable Winery Marketing Dollars

Produce a stable revenue stream that benefits all wineries

- Long term – Secure a sustainable funding model.
- Short term – Improve upon the current fundraising model – Lodi Wine & Chocolate Weekend (held annually in February).

- **Sustainable Funding**
 1. Evaluate and compare winery marketing budgets and revenue streams against competitive set for regional AVA marketing groups.
 2. Building upon the strategic priorities, develop a winery marketing plan to outline how the budget and increased funds will be prioritized.
- **Lodi Wine & Chocolate Weekend**
 1. Generate revenue (fundraiser) to support Winery Marketing Committee's activities.
 2. Encourage participation for the success of the weekend and annual marketing priorities.
 3. Guests Expectations – once winery options and sign-ups are finalized clearly market to guests how they can participate. Communicate new experiences, special ticket tiers and overall schedule for guests to plan their itineraries.

Integrated Campaign Strategy

Develop and build out an annual calendar to highlight themes and regional messaging. Integrate content throughout all paid, earned, and owned marketing channels; invite winery and tourism partners to participate.

- Align with the Lodi Winegrape Commission marketing plan to develop overarching themes, which emphasize destination marketing.
- Develop campaigns with themes that are meaningful to wine enthusiasts.
- Focus on increasing quality tasting room visits.
- Identify key audiences:
 1. External: trade, media, influencers.
 2. Internal: winery tasting room personnel, growers, winery owners, winemakers, etc.
- Integrate content across all advertising, marketing and communication channels.

- Build out strategies, tactics, and a timeline for campaigns
- Develop a marketing toolkit for each campaign:
 1. Marketing toolkit could include – graphics, digital ads, key messages, sample social media posts, sample email campaign, pictures, etc. Develop a guide connecting ways winery partners can use this toolkit for their own marketing purposes.
 2. Invite partner organizations to collaborate and expand reach of campaigns.
- Consider micro-events that align with campaigns to engage visitor audiences, engage wineries, and create a special and unique Lodi experience.
- Integrate touris-focused advertising with a specific message to visit Lodi into overall campaign plans.

Signature Event

Secure a signature event to cohesively brand Lodi Wine and bring together wine enthusiasts, the wine community and trade annually.

- Revisit Row x Row to determine if goals, objectives, and format are still aligned.
- Evaluate event name.
- Plan resources and budget to host signature event in 2023.

- Develop event experience and format: Friday, Saturday, Sunday
 1. Finalize dates – May 2023.
 2. Finalize event name.
 3. Determine how wineries participate – hosting events, pouring at Grand Tasting, etc.
- Create budget to align with event experience.
 1. Determine startup funds to secure personnel resources (e.g., event team).
 2. Identify new revenue streams.
 3. Outline expenses based on format.
 4. Establish ticket prices.
- Build a yearlong marketing plan to create broad base awareness.
 1. Save the date – announce in May 2022.
 2. Marketing toolkit specific to the event. Leverage marketing themes from quarterly campaigns to further the message and encourage wineries to engage in marketing to their guests, wine club members and customer lists.
- Event team to outline a timeline for signature event weekend.

CONFLICT OF INTEREST CODE
OF
LODI-WOODBRIDGE WINEGRAPE COMMISSION

I.

Adoption

In compliance with the Political Reform Act of 1974, California Government Code Sections 81000, et seq., the Lodi-Woodbridge Winegrape Commission (hereinafter referred to as Commission) hereby adopts this Conflict of Interest Code, which shall apply to all designated employees of the Commission. This conflict of interest code shall become effective thirty (30) days after filing with the Secretary of State.

II.

Definitions

The definitions contained in the Political Reform Act of 1974, regulations of the Fair Political Practices Commission (2 Cal. Code of Regs. Sections 18100, et seq.), and any amendments to the Act or regulations, are incorporated by reference into this conflict of interest code.

III.

Designated Employees

The persons holding positions listed in the Appendix "A" are designated employees. It has been determined that these persons make or participate in the making of decisions which may foreseeably have a material effect on financial interests.

IV.

Disclosure Categories

This code does not establish any disclosure obligation for those designated employees who are also specified in Government Code Section 87200 if they are designated in this code in that same capacity or if the geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction in which those persons must report their financial interests pursuant to Article 2 of Chapter 7 of the Political Reform Act, Government Code Section 87200, et seq. In addition, this code does not establish any disclosure obligation for any designated employees who are designated in a conflict of interest code for another agency, if all of the following apply:

A) The geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction of the other agency;

B) The disclosure assigned in the code of the other agency is the same as that required under Article 2 of Chapter 7 of the Political Reform Act, Government Code Section 87200; and

C) The filing officer is the same for both agencies.¹

Such persons are covered by this code for disqualification purposes only. With respect to all other designated employees, the disclosure categories set forth in Appendix "B" specify which kinds of financial interests are reportable. Such a designated employee shall disclose in his or her statement of economic interests those financial interests he or she has which are of the kind described in the disclosure categories to which he or she is assigned in Appendix "B". It has been determined that the financial interests set forth in a designated employee's disclosure categories are the kinds of financial interest which he or she foreseeably can affect materially through the conduct of his or her office.

V.

Statements of Economic Interests

Place of Filing.

The Fair Political Practices Commission, as the code reviewing body, for the Lodi-Woodbridge Winegrape Commission requests that all designated employees file their statements with the Lodi-Woodbridge Winegrape Commission who will make the statements available for public inspection and reproduction. (Gov. Code Section 81008.)

Upon receipt of the statements for the members of the Commission and their alternates, the agency shall make and retain a copy and forward the original of these statements to the Fair Political Practices Commission. Original statements for all other

¹ Designated employees who are required to file statements of economic interests under any other agency's conflict of interest code, or under Article 2 for a different jurisdiction, may expand their statement of economic interests to cover reportable interests in both jurisdictions, and file copies of this expanded statement with both entities in lieu of filing separate and distinct statements, provided that each copy of such expanded statement filed in place of an original is signed and verified by the designated employee as if it were an original. See Government Code Section 81004.

designated employees shall be retained by the agency.²

VI.

Time of Filing.

(A) Initial Statements. All designated employees employed by the agency on the effective date of this code, as originally adopted, promulgated and approved by the code reviewing body, shall file statements within 30 days after the effective date of this code. Thereafter, each person already in a position when it is designated by an amendment to this code shall file an initial statement within 30 days after the effective date of the amendment.

(B) Assuming Office Statements. All persons assuming designated positions after the effective date of this code shall file statements within 30 days after assuming the designated positions, or if subject to State Senate confirmation, 30 days after being nominated or appointed.

(C) Annual Statements. All designated employees shall file statements no later than April 1.

(D) Leaving Office Statements. All persons who leave designated positions shall file statements within 30 days after leaving office.

VII.

Statements for Persons Who Resign 30 Days After Appointment.

Persons who resign within 30 days of initial appointment are not deemed to have assumed office or left office provided they did not make or participate in the making of, or use their position to influence any decision and did not receive or become entitled to receive any form of payment as a result of their appointment. Such persons shall not file either an assuming or leaving office statement.

VIII.

Contents of and Period Covered by Statements of Economic Interests.

(A) Contents of Initial Statements. Initial statements.

² See Government Code Section 81010 and 2 Cal. Code of Regs. Section 18115 for the duties of filing officers and persons in agencies who make and retain copies of statements and forward the originals to the filing officer.

shall disclose any reportable investments, interests in real property and business positions held on the effective date of the code and income received during the 12 months prior to the effective date of the code.

(B) Contents of Assuming Office Statements. Assuming office statements shall disclose any reportable investments, interests in real property and business positions held on the date of assuming office or, if subject to State Senate confirmation or appointment, on the date of nomination, and income received during the 12 months prior to the date of assuming office or the date of being appointed or nominated, respectively.

(C) Contents of Annual Statements. Annual statements shall disclose any reportable investments, interests in real property, income and business positions held or received during the previous calendar year provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the code or the date of assuming office whichever is later.

(D) Contents of Leaving Office Statements. Leaving office statements shall disclose reportable investments, interests in real property, income and business positions held or received during the period between the closing date of the last statement filed and the date of leaving office.

IX.

Manner of Reporting.

Statements of economic interests shall be made on forms prescribed by the Fair Political Practices Commission and supplied by the agency, and shall contain the following information:

(A) Investments and Real Property Disclosure. When an investment or an interest in real property³ is required to be reported,⁴ the statement shall contain the following:

³ For the purpose of disclosure only (not disqualification), an interest in real property does not include the principal residence of the filer.

⁴ Investments and interests in real property which have a fair market value of less than \$1,000 are not investments and interests in real property within the meaning of the Political Reform Act. However, investments or interests in real property of an individual include those held by the individual's spouse and dependent children as well as a pro rata share of any investment or interest in real property of any business entity or trust in which

1. A statement of the nature of the investment or interest;

2. The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;

3. The address or other precise location of real property;

4. A statement whether the fair market value of the investment or interest in real property exceeds one thousand dollars (\$1,000), exceeds ten thousand dollars (\$10,000), or exceeds one hundred thousand dollars (\$100,000).

(B) Personal Income Disclosure. When personal income is required to be reported,⁵ the statement shall contain:

1. The name and address of each source of income aggregating two hundred fifty dollars (\$250) or more in value or fifty dollars (\$50) or more in value if the income was a gift, and a general description of the business activity, if any, of each source;

2. A statement whether the aggregate value of income from each source, or in the case of a loan, the highest amount owed to each source, was one thousand dollars (\$1,000) or less, greater than one thousand dollars (\$1,000), or greater than ten thousand dollars (\$10,000);

3. A description of the consideration, if any, for which the income was received;

4. In the case of a gift, the name, address and business activity of the donor and any intermediary through which the gift was made; a description of the gift; the amount or value of the gift; and the date on which the gift was received;

the individual, spouse and dependent children own, in the aggregate, a direct, indirect or beneficial interest of 10 percent, or greater.

⁵ A designated employee's income includes his or her community property interest in the income of his or her spouse but does not include salary or reimbursement for expenses received from a state, local or federal government agency.

5. In the case of a loan, the annual interest rate and the security, if any, given for the loan.

(C) Business Entity Income Disclosure. When income of a business entity, including income of a sole proprietorship, is required to be reported,⁶ the statement shall contain:

1. The name, address, and a general description of the business activity of the business entity;

2. The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than ten thousand dollars (\$10,000).

(D) Business Position Disclosure. When business positions are required to be reported, a designated employee shall list the name and address of each business entity in which he or she is a director, officer, partner, trustee, employee, or in which he or she holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the business entity.

(E) Acquisition or Disposal During Reporting Period. In the case of an annual or leaving office statement, if an investment or an interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.

X.

Disqualification.

No designated employee shall make, participate in making, or in any way attempt to use his or her official position to influence the making of any governmental decision which he or she knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the official or a member of his or her immediate family or on:

(A) Any business entity in which the designated employee has a direct or indirect investment worth one thousand dollars

⁶ Income of a business entity is reportable if the direct, indirect or beneficial interest of the filer and the filer's spouse in the business entity aggregates a 10 percent or greater interest. In addition, the disclosure of persons who are clients or customers of a business entity is required only if the clients or customers are within one of the disclosure categories of the filer.

(\$1,000) or more;

(B) Any real property in which the designated employee has a direct or indirect interest worth one thousand dollars (\$1,000) or more;

(C) Any source of income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating two hundred fifty dollars (\$250) or more in value provided to, received by or promised to the designated employee within 12 months prior to the time when the decision is made;

(D) Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management; or

(E) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating \$250 or more in value provided to; received by, or promised to the designated employee within 12 months prior to the time when the decision is made.

XI.

Legally Required Participation.

No designated employee shall be prevented from making or participating in the making of any decision to the extent his or her participation is legally required for the decision to be made. The fact that the vote of a designated employee who is on a voting body is needed to break a tie does not make his or her participation legally required for purposes of this section.

XII.

Disqualification of State Officers and Employees.

In addition to the general disqualification provisions of Section X, no state administrative official shall make, participate in making, or use his or her official position to influence any governmental decision directly relating to any contract where the state administrative official knows or has reason to know that any party to the contract is a person with whom the state administrative official, or any member of his or her immediate family has, within 12 months prior to the time when the official action is to be taken:

(A) Engaged in a business transaction or transactions on terms not available to members of the public, regarding any investment or interest in real property; or

(B) Engaged in a business transaction or transactions on terms not available to members of the public regarding the rendering of goods or services totaling the value one thousand dollars (\$1,000) or more.

XIII.

Manner of Disqualification.

When a designated employee determines that he or she should not make a governmental decision because he or she has a disqualifying interest in it, the determination not to act must be accompanied by disclosure of the disqualifying interest. In the case of a voting body, this determination and disclosure shall be made part of the agency's official record; in the case of a designated employee who is head of an agency, this determination and disclosure shall be made in writing to his or her appointing authority; and in the case of other designated employees, this determination and disclosure shall be made in writing to the designated employee's supervisor.

XIV.

Assistance of the Commission and Counsel.

Any designated employee who is unsure of his or her duties under this code may request assistance from the Fair Political Practices Commission pursuant to Government Code Section 83114 or from the attorney for his or her agency, provided that nothing in this section requires the attorney for the agency to issue any formal or informal opinion.

XV.

Violations.

This code has the force and effect of law. Designated employees violating any provision of this code are subject to the administrative, criminal and civil sanctions provided in the Political Reform Act, Government Code Sections 81000 - 91014. In addition, a decision in relation to which a violation of the disqualification provisions of this code or of Government Code Section 87100 or 87450 has occurred may be set aside as void pursuant to Government Code Section 91003.

XVI.

Prohibition On Honoraria.

State Agency Prohibition on Receipt of Honoraria. No member of a state board or commission, and no designated employee of a state agency, shall accept any honorarium from any source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

Subdivisions (b), (c), (d), and (e) of Government Code Section 89502 shall apply to the prohibitions in this section.

XVII.

\$250 Limit On Gifts.

State agency Prohibition on Receipt of Gifts of \$250 or More. No member of a state board or commission, and no designated employee of a state agency, shall accept gifts with a total value of more than two hundred fifty dollars (\$250) in a calendar year from any single source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

Subsections (b), (c), (d), and (e) of Government Code Section 89504 shall apply to the prohibitions in this section.

APPENDIX "A"
Designated Positions.

Persons occupying the following positions are designated employees and must disclose all financial interests set forth in Exhibit "B" - Disclosure Categories.

1. Members of the Commission
2. Alternate members of the Commission
3. Executive Director/Chief Executive Officer
4. General Legal Counsel
5. Consultants

⁷ Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitation:

The Executive Director may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The Executive Director determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.

APPENDIX "B"
Disclosure Categories.

Designated employees in Appendix "A" must report:

1. Investments and business positions in any business entity which during the reporting period:

a. Was awarded a research contract or engaged in the delivery of the type of advertising or promotional services utilized by the Lodi-Woodbridge Winegrape Commission; or

b. Was a producer, handler or vintner of winegrapes subject to the jurisdiction of the Lodi-Woodbridge Winegrape Commission.

2. Interest in real property which during the reporting period:

a. Was acquired by, leased, or otherwise used by the Lodi-Woodbridge Winegrape Commission for any consideration and the specific location of such property; or

b. Was owned by a business entity subject to an assessment of the Lodi-Woodbridge Winegrape Commission, provided, only the county in which such property is located and not its specific location must be reported.

3. Each source of income directly related to winegrape production, handling or processing, including brokerage service income, provided the income was furnished by, or on behalf of, any person or business entity furnishing real or personal property or services to the Lodi-Woodbridge Winegrape Commission as stated in paragraphs 1. or 2. above, or any gift from such person.

4. Any business position held in any business entity, which, during the reporting period, is a grower, handler or vintner of winegrapes subject to the jurisdiction of the Lodi-Woodbridge Winegrape Commission.

THIS IS THE FINAL PAGE OF THE CONFLICT OF INTEREST CODE FOR THE
LODI-WOODBRIDGE WINEGRAPE COMMISSION.

DS/DS37

CALIFORNIA OFFICE OF ADMINISTRATIVE LAW
SACRAMENTO, CALIFORNIA

NOTICE OF APPROVAL
FOR PRINTING
(Gov. Code, Sec. 11349.3)

In re:

LODI-WOODBRIDGE WINEGRAPE COMM)

REGULATORY ACTION:

Title 2

California Code of Regulations)

Adopt 54000

OAL File No. 92-0827-06 P

SUMMARY OF AGENCY ACTION

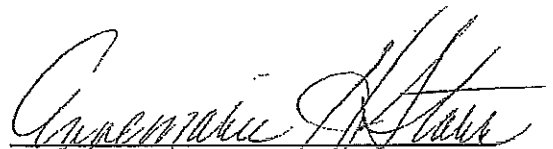
The Lodi-Woodbridge Winegrape Commission filed the adoption of its conflict of interest code which was approved by the Fair Political Practices Commission on August 10, 1992. It is found at Section 54000, Title 2 of the California Code of Regulations.

OFFICE OF ADMINISTRATIVE LAW ACTION

OAL approves the printing of this filing which is exempt from review by OAL.

COMMENTS

DATE: 09/24/92



ANNEMARIE H. STARR
Legal Assistant

for: JOHN D. SMITH
Deputy Director

Original: Mark Chandler, Executive Director
cc: Dale A. Stern

PROOF OF SERVICE BY MAIL

Name/Title Mark Chandler, Executive Director

Agency LODI-WOODBRIDGE WINEGRAPE COMM

Address 1330 So. Ham, Ste. 102

City/State Lodi CA 95242

File Number 92-0827-06 P

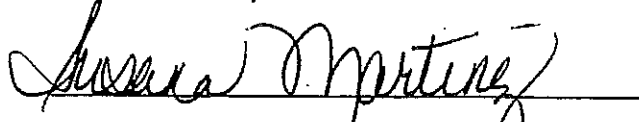
Document/Title Notice of Printing

I served the above described notice for the Office of Administrative Law by depositing a copy(ies) thereof (enclosed in sealed envelope(s), postage prepaid) in the United States mail, addressed to the above named individual(s) herein, on 09/24/92, at Sacramento, California.

At the time of service, I was at least 18 years of age, a United States citizen employed in the county where the mailing occurred, and not otherwise involved in the decision. My business address is:

Office of Administrative Law
555 Capitol Mall
Suite 1290
Sacramento, Ca 95814

I declare under penalty of perjury that the foregoing is true and correct and this declaration was executed on 09/24/92, at Sacramento, California.


(Signature of declarant)

LODI WINEGRAPE COMMISSION
RULES AND PROCEDURES FOR
NOMINATIONS AND ELECTIONS

Pursuant to Food and Agricultural Code Section 74928.1, the Lodi Winegrape Commission establishes the following Nomination and Election Rules and Procedures.

1. Nomination Procedures for Commission Members and Alternates

- A. Prior to April 15 of each election year, the Commission shall notify each producer of record of the number of Commission members and alternate members' positions which shall be up for election that year. The Commission shall also provide a calendar or schedule of deadlines for that election year.
- B. Any qualified individuals, including incumbents, who seek nomination to a term of office in the district in which they produce winegrapes, shall submit to the Commission not later than May 15 of each year a nomination petition which shall be signed by at least three (3) eligible producers of record from within the district the nominee is seeking election, and shall include the following information:
 - 1) Nominee Information
 - a) Name
 - b) Address and telephone
 - c) Certificate of Qualification (see attached)
 - 2) Petitioners' Information
 - a) Petitioners' names
 - b) Address and telephone
 - c) Statement of qualification to vote in Commission elections
- C. The Commission shall receive the nomination petition from the proposed nominee and shall verify all petitioners' signatures. The proposed nominee shall be notified by the Commission of those petitioners who are ineligible if such ineligibility would result in less than three (3) valid signers to the petition. The proposed nominee shall have a total of five (5) additional days following notification to obtain other valid signatures and return the amended nomination petition to the Commission. Failure to meet this deadline will result in disqualification of the proposed nominee.
- D. The Commission shall determine if the proposed nominee is in good standing with the Commission.

- E. The proposed nominee shall be eligible for election to the Commission if he or she submits a Certificate of Qualification form, Statement of Affiliations, and any other documents required by the Commission. (The most recent approved versions of these forms are attached to these rules and procedures.)
- F. The eligible nominee shall be listed on a ballot which shall be mailed to all producers within Crush District #11 not later than June 1 of each year.
- G. Write in candidates will be permitted on the ballot. In the event that a write in candidate should win the election, that person will not be seated until all eligibility requirements and qualifications under Section 1 and 2 of these procedures have been verified to the satisfaction of the Commission.
- H. Any person within California Crush District #11 who certifies to the satisfaction of the Commission that he or she is a producer within the meaning of Section 74827 is eligible to sign nomination petitions. Any person who has produced 25 tons or less of winegrapes in the preceding marketing year, or is otherwise exempt from payment of assessments, shall be ineligible to sign nomination petitions.
- I. Persons eligible to sign a nomination petition may sign more than one nomination petition in any election year.

2. Qualification For Election as Member or Alternate

- A. Certification. Any person nominated shall certify to the satisfaction of the Commission that he or she is a producer within the meaning of Section 74827 of the California Food & Agricultural Code.
- B. Good Standing. Any person nominated shall be in compliance with all requirements of Commission law and bylaws. The Commission may require evidence of prompt and timely payment of assessments, and the submittal of assessment reports to the Commission, which unless otherwise agreed to by the Commission, shall not exceed thirty (30) days from the due date.
- C. Willingness. In addition, nominees shall sign a statement indicating their willingness to actively participate and serve on the Commission and Committees of the Commission. As part of the statement of willingness, a nominee may provide his or her resume on a form provided by the Commission, not exceeding one page, for the purpose of providing voters with background information on the nominee. Once elected, members and alternates shall maintain their qualifications during their entire term of office.
- D. Statement of Affiliations. Any person nominated for a member or alternate position shall submit to the Commission on a form provided by the Commission a Statement of Affiliations disclosing all affiliations the nominee has within the winegrape and wine industries. The purpose of the disclosure is to ensure that voters are fully informed of any such affiliations prior to the election of members and alternates.

“Affiliations” means economic interests that the nominee has within the winegrape and wine industries, including but not necessarily limited to any involvement with a winegrape producer or winery as an owner, director, officer, member, partner, employee, representative, consultant, independent contractor, or other interest holder.

- E. Updating Statement of Affiliations. Persons elected to the Commission as members and alternates must submit an updated disclosure form to the Commission each time that person has a change of circumstances regarding their economic interests within the winegrape and/or wine industries. The updated disclosure must be submitted within (30) days of the change of circumstances. For purposes of these election rules and procedures a “change of circumstances” means any added or terminated economic interest and any expanded or reduced economic interest by a Commission member or alternate.

Any person who claims to be aggrieved by misstatements or omission in a Statement of Affiliations may petition the Commission for a hearing in accordance with established grievance procedures.

- F. Documentation. Nominees for election shall, upon the request of the Commission, submit all necessary documents in order to establish qualifications for election.
- G. Public Member. The public member and alternate, if any, shall not have a financial interest in the winegrape industry.

3. Voter Eligibility.

- A. Any person within California Crush District #11 who certifies to the satisfaction of the Commission that he or she is a producer within the meaning of Section 74827 is eligible to vote. Any person who has produced 25 tons or less of winegrapes in the preceding marketing year, or is otherwise exempt from payment of assessments, shall be ineligible to vote.
- B. The term “person” shall include a legal entity, whether a sole proprietorship, partnership or corporation, and shall be entitled to one (1) vote.
- C. The rights to vote is retained by the person who pays assessments on the property’s winegrape production.
- D. Only the individual owner may vote on behalf of a sole proprietorship or family operation.
- E. Any one designated general partner may vote on behalf of a partnership.
- F. Any one designated director or officer of a corporation may vote on behalf of the corporation.
- G. Any one designated trustee of a trust may vote on behalf of the trust.
- H. Any one designated manager or managing member of a limited liability company may vote on behalf of the LLC.
- I. No parcel or property, or multiple parcels of property owned and/or leased by the same legal entity may be the basis for more than one vote in any election.
- J. Nothing herein shall prevent an individual who owns all or part of more than one separate legal entity from acting as the designated voter on behalf of each of the entities eligible to vote.
- K. Any person seeking eligibility to vote shall, upon request, provide the Commission with copies of documents as needed to assist the Commission in determining eligibility.
- L. Proxy voting shall not be permitted.

4. Balloting for Election of Members and Alternates

- A. There shall be a fifteen (15) day balloting period which shall not extend beyond June 15 of each year, unless the Commission finds that extraordinary circumstances exist and the balloting period should be extended.
- B. Ballots submitted by eligible voters shall be counted and verified by the Secretary of the California Department of Food and Agriculture ("CDFA Secretary"). This procedure would entail mailing a packet to each eligible grower. The packet would include a ballot with no signature line. This ballot would be inserted into an unmarked envelope. This envelope would then be placed inside a second envelope that bears the grower's signature. When the ballot is received by the commission, the signature is checked for eligibility status. Once determined eligible, the sealed ballot is then sent forward to the election counting process.
- C. Only valid ballots will be counted and each legal entity shall be entitled to one (1) vote.
- D. The nominee receiving the highest number of votes shall be elected as a member to the Commission and the nominee receiving the second highest number of votes shall be elected as the alternate member to the Commission. If more than one seat is available, the candidates receiving the highest number of votes will be elected members, and the candidates receiving the next highest numbers of votes will be elected alternates.
- E. In the event of a tie for the member position, there shall be a drawing of lots (or any other reasonable random method) to determine which shall be the member. If there is a tie for the alternate member position there shall be a drawing of lots (or any other reasonable random method) to determine which shall be the alternate member.
- F. The term of office shall begin on July 1 of each year, or as soon thereafter as possible. Commission members and alternates shall continue to serve until their successors are qualified.

5. Filling Vacant Member or Alternate Seats on the Commission

- A. If there is a vacancy of any member's seat on the Commission, the corresponding alternate shall serve for the remainder of the member's term.
- B. Any vacancy of an alternate's seat shall be filled by a qualified person, for the unexpired portion of the term, by a majority vote of the Commission.
- C. All candidates for election to a vacant member or alternate seat must meet the qualifications for nomination, and submit a Certificate of Qualification form, Statement of Affiliations, and any other documents required by the Commission. Elections to fill a vacant member or alternate seat shall be conducted at the next regularly scheduled Commission meeting following the qualification and nomination of candidates.
- D. Candidates shall have the option to be present during any vote to fill vacant seats on the Commission. Such voting shall not be conducted by secret ballot and proxy voting is not permitted.

6. The Removal of Members and Alternates

- A. The Commission shall have the authority to remove any member or alternate member of the Commission who is not in good standing as defined in 2(B) above.
- B. Any person not in good standing shall be notified and shall have fifteen (15) days in which to request an informal hearing before the Executive Committee of the Commission. If the person does not request an informal hearing, he or she shall be disqualified as a nominee for election to the Commission or removed as a member or alternate member of the Commission, as the case may be. If the person requests an informal hearing, the Commission shall hold the hearing within thirty (30) days of the date of request. The decision of the Committee, with concurrence of the Commission, is final.
- C. Any person disqualified as a nominee or removed from the Commission may appeal the decision of the Commission to the CDFA Secretary. The determination of the CDFA Secretary shall be subject to judicial review upon petition filed by the person with the appropriate superior court.

7. Attendance

Any member or alternate who misses three consecutive Commission meetings in a marketing season for any reason automatically loses his or her seat on the Commission unless the Board expressly waives this provision by majority vote¹. Any vacancy created by this section shall be filled by a majority vote of the remaining members of the Commission.

8. Officer Elections

Pursuant to Article IV of the Commission's Bylaws, the Commission shall elect a Chairperson, a Vice-Chairperson, a Secretary, and a Treasurer from among its members, and delegate to the officers such duties as are determined by the Commission. Alternate members shall not be eligible to be elected as officers of the Commission (although alternates serving in place of a member on the day of officer elections may nominate and vote to elect an officer). Officer elections will be held annually at the July Commission meeting where newly elected Commission members and alternates are seated.

Procedure for election of officers:

Not later than June 30 of each year, the Commission shall establish an "Officer Nomination Committee" pursuant to the procedures for committee formation in Article VI, Section 1 of the Commission's bylaws. The Officer Nomination Committee shall consist of two (2) Commission members or alternates and shall only contain individuals who are not interested in running for an office for the coming year.

The Officer Nomination Committee shall be charged with contacting all Commission members who will be on the Board as of the July meeting to determine who is interested in holding an officer position for the coming year. The Committee will come to the July meeting with a recommended nomination for each of the four officer positions.

¹ The Board's waiver of the automatic removal provision can be based on an excuse acceptable to the Board or any other justification deemed appropriate by the Board.

The Commission shall designate an individual other than a Commission member or alternate to conduct the election. The individual designated to run the election shall be a representative from CDFA or the Commission's legal counsel.

At the July meeting, the elections of each of the four officers shall be conducted separately as follows. The Officer Nomination Committee shall announce its recommended nomination for the Chairperson position and then ask if there are any other nominations from the floor for that position. Once all nominations for the Chairperson position are stated, a vote for that position shall be taken either by a show of hands or by "discreet ballot"², in the discretion of the Board. The process shall then be repeated for the Vice-Chairperson, Secretary, and Treasurer positions.

All newly elected officers shall take office immediately upon election and shall serve for one year terms. After the election, the new Chairperson shall take over for the remainder of the meeting.



² For purposes of this procedure , a "discreet ballot" means that the Commission members may write their votes on a slip of paper to maintain anonymity at the time of voting, but must sign their name to the slip of paper in order for it to be counted. Only the CDFA representative or legal counsel shall see how Commission members voted on the day of the election, but the written votes shall be maintained by CDFA or legal counsel and shall be disclosed to any member, alternate, or member of the public who asks to view them after the election.

Lodi Winegrape Commission

Contracts Policy

Adopted: February 21, 2013

The following shall be the policy related to contractual relationships of the Lodi Winegrape Commission (Commission).

1. The Lodi Winegrape Commission shall adhere to the standards and processes consistent with those provided by the California Department of Food & Agriculture policies for Commissions when entering into contractual relationships with non-specialized service providers where funds of over \$5000 will be expended. These standards call for the competitive bidding by at least three (3) providers.
2. All contracts for one-time expenses in excess of \$25,000 not approved by a committee or the board of directors shall be bid competitively using a request for proposal.
3. Contract providers specializing in a specific area of work need not be bid competitively based upon the nature of the expertise and service they provide.
4. Contracts in excess of \$25,000 annually shall be reviewed by the Executive Director, Accountant and relevant Committee Chair and/or Chairman of the Board of Commissioners.
5. Multi-year contracts shall be reviewed annually and bid a minimum of every three years.
6. Multi-year contracts shall include a cancellation provision in the event that the Commission terminates operations due to statutory requirements or judicial order.
7. Appropriate committees shall periodically review business relationships, scope of work and progress relevant to terms of the contract.

Lodi Winegrape Commission

Expense Report Policy

Adopted: 6/24/08

The following shall be the policy of the Lodi Winegrape Commission:

1. Invoices and financial correspondence are forwarded to the bookkeeper for processing. An "account payable payment form" is prepared which includes the invoice, check stub and all other support for the charge.
2. The account payable invoice and check are approved by the Executive Director prior to payment.
3. The Executive Director accounts payable invoices will be reviewed quarterly by the Chair and Vice Chair.
4. Checks under \$500.00 require one signature and checks \$500.00 or over require two signatures. Checks written to the executive director are not signed by him or her and require two other commissioner's signatures. The approval is initialed on the accounts payable invoice by the executive director.
5. Check signers change annually when the new board members are elected. Check signers are always the chairman, vice chairman, treasurer, secretary and the executive director.

Lodi Winegrape Commission

Investment Policy

Adopted: June 20, 2013

In an effort to better serve the interests of the growers of Crush District 11, the Lodi Winegrape Commission implements a primary reserve account in the event of unforeseen decreases in revenue that may not meet the programs, services and operations as directed by the Board of Commissioners. As such, funds placed into a primary reserve account will seek to provide any necessary funds identified by the Finance Committee and Board of Commissioners.

- The objective of the investment policy is the preservation of capital.
- The focus of investment actions should be to minimize risk.
- It is expected that returns will be modest and that they will be balanced first against capital preservation and then against flexibility for cash flow purposes and finally against any savings on negotiated bank services.
- Authorized investment vehicles are Certificates of Deposit, Treasury Bills, government-guaranteed securities and interest-bearing savings and checking accounts.
- Banks with which the Commission does business should be on the list of those approved by the State of California, be FDIC-insured and/or be subject to oversight by federal regulators.
- The Finance Committee may elect to adopt investment strategies that generate no return on some or all of the Commission's money if doing so is deemed necessary to achieve the primary objective of capital preservation. If this option is employed it should be time-limited with a predetermined date of review.
- The Finance Committee may direct that investments be dispersed among institutions if doing so is deemed necessary to achieve the primary objective of capital preservation.
- Investments will be collateralized as possible and deemed appropriate.

Lodi Winegrape Commission

Primary Reserve Policy

Adopted: June 20, 2013

It is incumbent upon the Lodi Winegrape Commission to consider its Mission, Vision and Goals in developing its annual operating budget. However, in certain years, due to natural factors, market volatility or other reasons, assessment revenue may not be enough to provide for the directed operations, programs and services. As such, a Primary Reserve Account is established to hold a certain portion of funds to meet the Commission's goals.

The funds in the Primary Reserve Account should be at minimum 10% of any year's operating budget, based upon the three previous year's expenditures.

The Primary Reserve Account will be funded with excess assessment revenue greater than expenditures in a given fiscal year and/or by other contributions deemed necessary and appropriate by the Board of Commissioners.

Funds from the Primary Reserve Account will be invested in accordance with the Investment Policy as established by the Board of Commissioners.

Funds from the Primary Reserve Account may only be accessed by action of the board of Commissioners on a majority vote approval, should the need arise.

The Finance Committee and Board of Commissioners shall, at least, annually review the status of the Primary Reserve Account.

Lodi Winegrape Commission

Special Project Account Policy

Adopted: June 20, 2013

The Commission develops its annual budget based upon forecasts utilizing past crop data and forecasts for upcoming assessments to develop a budget base. Assessment revenue above the budget base is to be allocated, at the discretion of the Board of Commissioners, to the Special Project Account at the end of the fiscal year in which it is collected. Other funds may be allocated to the other existing Commission accounts at the Board's discretion. This account is not to be considered a pass through account to the primary reserves.

The Special Project Account holds the funds deposited by the Board for the current season; these funds should be allocated within two years of deposit. The revenue is used to either augment promotion programs (which includes all aspects of all programs, including but not limited to research, industry programs, issue management, etc.) or to add to the Commission's primary reserve account.

There are two options for allocation to programs. During the pre-season planning, each of the Commission's committees shall have access to use of the prior year's Special Project Reserve funds. The Finance Committee will review all committees' proposed allocations during its annual budget development meeting. Or, if necessary, the Commission board may direct the use of funds to augment the promotion program during a difficult season.

On an annual basis, the Finance Committee will determine whether an allocation should be made to the Commission's primary reserve account.

Funds from the Special Projects Account may only be accessed by action of the board of Commissioners on a majority vote approval, should the need arise.

The Finance Committee and Board of Commissioners shall, at least, annually review the status of the Special Projects Account.

Lodi Winegrape Commission

Employee Access to Sensitive Information Policy

Adopted: February 21, 2013

In some instances employees may also be business owners, officers or members of the industry in which the Lodi Winegrape Commission represents (including but not limited to grower, vintner, vendor, etc.). The information relative to assessment payments, financial transactions and other sensitive business details may, at times, be discussed or presented to a staff member of the Lodi Winegrape Commission. In an effort to minimize conflicts of interest or to protect sensitive information from being made available to employees who may benefit from this information, the following shall be the policy related to sensitive information of the Lodi Winegrape Commission (Commission).

1. The Lodi Winegrape Commission seeks to protect the financial and other information of grower transactions with wineries made available through assessment payments and other data collected.
2. Where relevant employees of the Commission and officers have access to financial information, this data shall be provided in the abstract and specific details of any individual winery or grower shall not be made available unless necessary to deal with outstanding accounts.
3. The Executive Director, Accountant, legal counsel and other legally mandated officials may have access to the pertinent financial and business information that is available through the normal course of business for the Commission.
4. Should employees who fall into the category of being involved within the industry as a grower, vintner, vendor, etc. become aware of sensitive financial or business information related to specific businesses involved with the Commission, they shall immediately inform the Executive Director of the information and their knowledge.
5. All sensitive and proprietary information gathered by the Commission through the normal course of conducting business shall be protected and not provided to members of the public.

LODI WINEGRAPE COMMISSION

TRAVEL AND EXPENSE REIMBURSEMENT POLICY

INTRODUCTION

The Lodi Winegrape Commission shall make the most effective use of assessment-payer funds. Costs of travel, meals and lodging shall be managed closely to ensure compliance with Commission and California Department of Food and Agriculture (CDFA) requirements.

TRAVEL ADVANCES

Funds may be advanced for travel expenses upon approval by the Executive Director (or by the Chairman of the Commission for advances to the Executive Director).

EXPENSE CLAIM FORM

All expense claims are required to be properly itemized on the Commission's expense claim form and accompanied by the necessary documentation (original receipts unless exempted below or if the receipt is a credit card receipt for a purchase using the employee's or board member's private credit card. In this case, a photocopy of the receipt is sufficient), certified by the claimant and approved by the Executive Director (or Chairman for Executive Director's expenses).

RECEIPTS OR VOUCHERS

There shall be receipts or vouchers for every item of expense claimed, except as follows:

Charges for bridge or road tolls

Miscellaneous expenses not exceeding \$15.00 as long as they are itemized on the claim

When it is not feasible to obtain a receipt, the claimant notes the reason on the claim

Parking under \$15.00

Original receipts are required for any expense over \$15.00, including meals and lodging.

EXECUTIVE DIRECTOR'S TRAVEL EXPENSE CLAIM FORM

Each travel expense claim form submitted by the Commission Executive Director shall be reviewed and approved by the Chairman.

PERSONAL EXPENSES

Personal expenses shall not be allowed. However, the following shall be considered as allowable business expenses:

Charges by common carriers or terminal stations for the handling or transporting of necessary personal or official baggage. For charges in excess of \$15.00, a receipt is required.

Charges for laundry and valet services while out of town if necessary under the circumstances. For charges in excess of \$15.00, a receipt is required.

The cost of air travel insurance on an amount of coverage not to exceed \$100,000 shall be reimbursed to board members and employees of the Commission if they are not covered by a blanket travel accident insurance policy.

Any other item approved (preferably in advance) by the Chairman as appropriate and necessary to conduct Commission business.

TELEPHONE CHARGES

Individual telephone calls above \$15.00 shall be accompanied by a copy of the invoice. A bill listing the phone call and the number called is sufficient.

For telephone calls above \$30.00, the name of the person called and justification for the call shall also be indicated.

CLAIMING EXPENSES OF OTHERS

Board members and the Executive Director are permitted to claim expenses of other board members or employees when it is necessary for a board member or the Executive Director to cover someone else's costs. All the same rules for reimbursements apply.

HEADQUARTERS

Headquarters should be established for every employee at the time of employment and

may be changed from time to time. Indication of the employee's headquarters location shall be shown on the employee's travel expense claim form. For most employees, "headquarters" is the Commission office. An employee may be allowed to claim expenses for up to \$30.00 for dinner at his or her headquarters (at the office) when required to work more than two hours past normal business hours and where the Commission Executive Director deems it unreasonable for the employee to return to his or her residence for an evening meal. In general, mileage claims shall also be calculated from the Commission office/headquarters.

RESIDENCE ADDRESS FOR EXPENSE CLAIMS OF BOARD MEMBERS

For the purpose of verifying the appropriateness of mileage claimed, each board member that submits travel expense claims shall have on file in the Commission office his or her residence address.

ATTENDANCE AT MEETINGS

For any Commission-sponsored meeting or event for which travel expenses may be claimed by a board member, committee member or an employee, minutes of the meeting shall indicate all persons attending the meeting.

TRAVEL ALLOWANCES

Allowances for travel and meals shall not exceed the maximums specified below unless they are justified with full documentation regarding why the employee or board member was unable to travel within the authorized limits. Actual expenses may be claimed when traveling on Commission business. Claiming expenses for family members accompanying board members or staff is prohibited unless specifically exempted by this policy.

Meals (except as provided below)

Breakfast – Including tax & tip, up to \$20.00

Lunch – Including tax & tip, up to \$35.00

Dinner – Including tax & tip, up to \$65.00

Lodging Allowances – Individual Trips

Lodging expenses shall be reasonable and should be at rates comparable to a standard single-occupancy room at a national business-class hotel chain such as, but not limited to, Hyatt, Sheraton, Hilton Hotels in the same vicinity.

Many hotels offer a government rate that is significantly lower than regular rates. Whenever possible, Commission staff shall make use of these rates. The Marketing Branch issues State I.D. Cards to all Commission employees and board members upon request for use in obtaining government rates.

Lodging Allowance – Board and Committee Meetings

Lodging expenses associated with attending board of director or committee meetings outside Lodi, California should not exceed \$205.00 per night (excluding tax).

Breakfast should not be claimed unless business required leaving personal residence prior to 7:00 a.m.

Reimbursement for dinner should be allowed only if return to personal residence is after 7:00 p.m.

Hour of departure and hour of return should be included for each trip when expenses other than mileage are claimed.

Trips requiring expenses exceeding the limits above shall have written documentation noting the reason why higher expenses were necessary and be approved in advance, when feasible, by the Executive Director or, in the case of the Executive Director, the Chairman.

For foreign travel, the currency exchange rate should be noted for all foreign travel on expense claims and converted to U.S. dollars.

INTERNATIONAL TRAVEL

Lodging and meals may otherwise be claimed as follows (applies to all Lodi Winegrape Commission employees):

- Lodging - Actual expense, supported by receipt
- Meals and Incidentals - Actual expense up to U.S. State Department Foreign Per Diem Rates (meal/incidental rates, column B) in effect at the time of travel for the specific foreign location, in accordance with breakdown in Appendix B, Federal Travel Regulation Chapter 301
 - [Foreign Per Diem Rates](https://aoprals.state.gov/content.asp?content_id=184&menu_id=78) - Maximum rates of per diem allowances for travel in foreign areas
https://aoprals.state.gov/content.asp?content_id=184&menu_id=78
- [Appendix B: Daily Breakdown of the Per Diem Rates](https://aoprals.state.gov/content.asp?content_id=184&menu_id=78)
https://aoprals.state.gov/content.asp?content_id=184&menu_id=78

HOTEL RECEIPTS

Reimbursement for the cost of hotel accommodations shall be supported by an original receipt issued by the hotel. The receipt shall indicate all of the following:

- Occupant's name
- Date receipt is issued
- Arrival and departure date
- Rate per day including any fee for parking

Claims for reimbursement of lodging expenses shall only be reimbursed for expenses that the claimant has actually paid or has agreed to pay.

MEALS/ENTERTAINMENT EXPENSES FOR GUESTS

The Executive Director, employees, board members and committee members may be reimbursed for group meals and/or entertainment expenses for themselves and invited business clients and/or Commission employees for breakfast, lunch or dinner or any other event for the primary purpose of transacting business. Actual expenses for these meals/events (including tax and tip) may be claimed for reimbursement. Claims for reimbursement shall indicate the names and business affiliation of each person whose meal/event was paid for by the claimant.

When customary business practice or social convention warrant that the Executive Director, employee, board member or committee member to have his or her spouse accompany him or her for a meal with a business guest(s), actual expenses for the spouse's meal may be reimbursed.

MASTER BILLING ACCOUNT

In lieu of individuals paying for such expenses as lodging and meals associated with Commission functions, the Commission may use a "master billing account."

All lodging and meal expenses to be paid through the master account shall be accompanied by supporting documentation indicating the nature of the meeting, a list of the persons lodged and their positions, and/or served meals.

Incidental expenses connected with the meeting shall be segregated on the facility's invoice. These charges will not be included in determining the meal allowances as outlined below. Examples of incidental expenses include:

- Audio/visual equipment charges
- Meeting room rental
- Morning and afternoon coffee break service

Service charges included by the hotel and part of contract

For group meals billed to a master billing account:

Breakfast – Including tax & tip, up to \$25.00

Lunch– Including tax & tip, up to \$40.00

Dinner– Including tax & tip, up to \$70.00

Expenses exceeding these limits are required to be justified in writing.

TRANSPORTATION

Travel should be done in the most efficient and least costly manner, taking into account all costs including staff and/or board member time and safety and a reasonable level of comfort. If an employee uses a more costly form of transportation, a cost-comparison shall be done to determine the least costly rate or approval shall be obtained by the Executive Director (or in the case of the ED, the Chairman) before purchase of fare. No more than actual fare on any transportation service shall be allowed.

Airplane/commercial

For domestic travel, coach fare shall be used whenever possible. When the ticket is purchased by cash or personal credit card, the original itinerary issued by the airlines, travel agent or website shall be attached to the expense claim.

Privately owned aircraft

Any claimant who holds a valid private pilot's license, or higher rated license, may use a privately owned aircraft for authorized travel in lieu of other modes of transportation. To operate privately owned aircraft, pilots shall be physically qualified and licensed to fly the aircraft for the type of flying performed.

When traveling alone in a privately owned aircraft, claimant shall be reimbursed for up to the cost of a commercial flight alternative and the cost of ground transportation to and from the nearest airport offering commercial flights.

To carry passengers on official business, a pilot shall:

- a. Either possess a valid FAA commercial pilot's license or have previously logged at least 250 hours of flight time as a licensed pilot in command of an aircraft; and
- b. Have logged at least 40 hours of actual flight time as a pilot in command of an aircraft during the preceding 12 months.
- c. The reimbursement payment rate for employee privately owned aircraft shall be designated by the U.S. Internal Revenue Service. Mileage is computed on the shortest air route from origin to destination, using airways whenever possible. Variation from this due to weather or other factors shall be

documented. Enter "Air Miles" and mileage on the travel expense claim. For expenses other than mileage, substantiate the expense with a receipt or voucher. Landing and parking fees are paid except at the site where the aircraft is normally stored.

Charter plane

Travel on official Commission business may be by privately owned, rented, or leased aircraft whenever this is the least costly means. This requires:

- a. The Commission provides written justification that the total cost of chartering a plane is actually less than the total cost of commercial air transportation for the same individuals.
- b. The justification shall accompany the invoice and shall state the names of the passengers and the reason for the charter.
- c. The Commission may provide written justification that a charter is the only available option.

Privately owned auto

Reimbursement for use of privately owned autos in connection with official business shall be at the rate-per-mile designated by the U.S. Internal Revenue Service. In addition to allowances for mileage, reimbursement for necessary ferry, bridge or road tolls, parking and overnight storage charges for privately owned autos during use on official business may be allowed.

Commission-owned auto or leased auto

Commission-owned or leased autos shall be used according to written policies and procedures adopted by the Commission's board of directors.

Auto rentals

Rented autos shall be used when necessary or expedient. Reimbursements for rental autos shall be limited to what is reasonable under the circumstances. Discounts are available for state agencies by some companies and shall be requested at the time the auto is reserved.

MOVING HOUSEHOLD EFFECTS

The Commission's board of directors may authorize payment of actual and necessary moving and relocation expenses incurred due to a change of residence whenever the

employee is required because of employment by the Commission or a change in assignment, promotion or other reason related to his or her duties to change the location of his/her residence.

REPAYMENT OF MOVING AND RELOCATION EXPENSES

Where the Commission determines that an expenditure for moving and relocation expense is necessary in order to recruit a qualified person, if that person does not continue employment with the Commission for a period of two years (unless due to death, prolonged illness, disability, unacceptability of the employee to the Commission, or other eventualities beyond the control of the employee as determined by the Commission), the employee shall repay the following percentage as determined by the board of directors of the amount received as the reimbursement for such travel and moving expenses:

- 100% – If employed less than 6 months.
- 75% – If employed more than 6 but less than 12 months.
- 50% – If employed more than 12 but less than 18 months.
- 25% – If employed more than 18 but less than 24 months.

TRAVEL REIMBURSEMENT OF APPLICANTS CALLED FOR INTERVIEW

Reimbursement for travel to and from interviews may be authorized for applicants for Commission positions if the Commission determines it necessary in order to recruit qualified persons for the position.

LODI WINEGRAPE COMMISSION

ASSESSMENT COLLECTION PROCEDURES

Pursuant to California Food and Agricultural Code Section 74892, the Commission hereby adopts the following procedures:

1. Prior to the beginning of each marketing season (July 1 - June 30) or as soon thereafter as possible, the Commission shall establish an assessment rate for the marketing season. The assessment shall not exceed one percent (1%) of the gross dollar value of winegrapes grown in Grape Crush District #11 (hereinafter District #11) and marketed by producers to vintners.

All definitions contained in Commission law (California Food and Agricultural Code Sections 74801 et seq.) shall apply to these procedures. For purposes of these procedures, the following definitions are particularly important:

"Producer" and "grower" are synonymous and mean any person who produced and marketed winegrapes in the preceding marketing season in a quantity of more than 25 tons. Unless otherwise exempted, producer also includes any person who receives winegrapes as payment for the use of his or her property in the production of winegrapes. In general, the producer is the person or company who grows and sells winegrapes, juice, and/or bulk wine.

"Handler" means any person engaged in the marketing of winegrapes or winegrape products that the person has produced, purchased, or acquired from a producer, or is marketing on behalf of a producer whether as owner, agent, employee, broker, processor, or otherwise.

"Winegrower", as defined in Section 23013 of the Business and Professions Code, means any person who has facilities and equipment for the conversion of grapes, berries, or other fruit into wine and is engaged in the production of wine.

"Vintner" means a winegrower who holds a winegrower's license issued by the Department of Alcoholic Beverage Control pursuant to Chapter 3 (commencing with Section 23300) of Division 9 of the Business and Professions Code, and who is engaged in producing must, grape juice, grape concentrate, wine, or products thereof, including high proof and brandy by processing winegrapes or field crushed must. In general, the vintner is the winery that purchases winegrapes from growers.

2. Every producer, and every vintner who purchases winegrapes from or processes winegrapes for producers, shall maintain normal commercial records of all winegrapes grown for market or processed, including but not limited to the purchase, sale, storage, or custom crushing of winegrapes. The records shall be preserved for a period of two years and shall be submitted by the producer or vintner for inspection at any reasonable time upon written demand. The Commission may request that the California Department of Food and Agriculture (CDFA) audit these records at any time.

3. Producers shall provide to the Commission the names of the vintners who purchase winegrapes from or process winegrapes for the producers. Vintners shall provide to the Commission the names of the producers from whom they purchase or for whom they process winegrapes and the amount of assessment remitted to the Commission for each producer upon written demand from the Commission or its duly authorized agent.
 4. Any assessment levied pursuant to Commission law is a personal debt of every person assessed.
 5. Pursuant to Food and Agricultural Code Section 74957, any person who fails to file a report, or remit or pay any assessment within the time required by the Commission shall pay to the Commission a late penalty of 10% of the amount of the assessment determined to be due and, in addition, shall pay 1.5% interest per month on the unpaid balance.
 6. Annually the Commission shall send to each known or believed vintner a packet of information regarding the assessment collection process, including blank assessment report forms. The same or similar information may be sent to producers when deemed appropriate or necessary.
 7. The vintner first acquiring the grapes being assessed shall deduct the assessments from amounts paid by the vintner to the producer. Title to the assessments shall pass immediately to the Commission and vintners shall hold the assessments in trust for the benefit of the Commission.
- While the collection of assessments is generally from the vintner/winery, the Commission may, in rare instances, collect the assessment(s) directly from the producer/grower as allowed by Commission law¹. In such rare event, the same procedures described in these procedures normally used for actions against vintners may be utilized for collection from producers.
8. Assessment reports regarding all winegrapes purchased or processed during the marketing season shall be received by the Commission no later than January 10. Assessment payments shall be remitted on a schedule published by the Commission at the start of each marketing season, but in no event shall payments be made later than April 30.
 9. Custom crush: When a producer delivers winegrapes to a vintner for "custom crushing", but retains title to the winegrapes and resulting winegrape product, the vintner must report the custom crush activity to the Commission but shall not be required to remit an assessment to the Commission if the producer has not been paid for the winegrapes or resulting winegrape product. The producer shall pay, within 30 days after the sale, the assessment for the custom crushed grapes which shall be calculated by the District average price from the preceding year. The assessment may be deducted and remitted by the purchaser.

¹ Section 74956 of Commission law provides, in pertinent part: "Failure of a vintner to collect the assessment from a producer shall not exempt the vintner from liability nor relieve the producer of the obligation to pay the assessment."

10. A producer or vintner who has not provided the required assessment reports and/or payments by the due date will be sent a written notice (may be sent via facsimile, email, regular first class mail, or express mail carrier) asking the producer or vintner to provide the reports and/or payment. At least two such written notices must be sent prior to referring the matter to the Commission's legal counsel for further action.
11. Matters referred to legal counsel will result in a demand letter being sent by legal counsel to the producer or vintner via express mail service for which delivery can be confirmed, which gives the producer or vintner at least 15 days from the date of the Notice in which to provide reports and/or pay assessments, as applicable.
12. If no satisfactory response is received from the producer or vintner during the 15 day notice period, a summons and complaint may be drafted by legal counsel and filed with the appropriate Superior Court in the county where the Commission's principal office is located. Once filed, the complaint will be served on the producer or vintner by a process server.
13. The producer or vintner has 30 days after service of the complaint in which to respond.
14. Prior to the filing of a civil complaint in Superior Court, Commission staff and legal counsel shall maintain the identity of a delinquent producer or vintner in confidence. Commission staff and legal counsel may report to the Commission Board at any time regarding the status of collections, but prior to filing a complaint, such reports shall be made without using the name of the producer or vintner or other information which would allow Board members to determine the identity of the delinquent producer or vintner.
15. If the producer or vintner responds to the complaint, it may take many months, or even years, to reach trial. During that time, all reasonable efforts will be made to settle the litigation.
16. If the producer or vintner does not respond to the complaint, a request for entry of default will be filed with the court.
17. Upon a favorable judgment for the Commission, the Commission shall be entitled to recover its reasonable attorneys' fees and other related costs.
18. Once a judgment is obtained by trial or default, collection and enforcement efforts will begin.
19. At any point during the assessment collection process outlined above, the Commission may request that the California Department of Food and Agriculture (CDFA) conduct an audit of a producer's or vintner's production and/or sales records pursuant to authority granted in California Food and Agricultural Code Section 74954.
20. Any producer who meets any of the requirements specified in California Food and Agricultural Code Section 74952.7(b) may apply to the Commission for, and if found eligible, shall, at the discretion of the Commission, receive either an exemption from, or a refund of, the assessment. Requests for a refund of overpayments of any assessment shall fall under these rules regarding refunds.

Any producer seeking an exemption from or refund of assessments must complete an *Assessment Exemption/Refund Request Form*, attesting to the facts establishing the producer's right to an exemption and/or refund, and submit the form to the Commission within a two-year period (California Food and Agricultural Code Section 74952.7(g)). A new *Assessment Exemption/Refund Request Form* shall be submitted every two years or when the facts represented on the previous *Form* change, whichever is earlier.

Upon receipt of the *Assessment Exemption/Refund Request Form*, Commission staff shall work to verify eligibility. Once verification is complete, the Commission Executive Director shall review and either authorize or deny the assessment exemption or refund. A decision regarding the claim for exemption or refund shall be made by the Executive Director no later than 30 days after receipt of the claim.

A vintner may also utilize these assessment refund procedures in instances where an overpayment or duplicate payment has been made and the vintner shall be subject to the same procedures and decision-making process described above in such cases.

A producer or vintner making a claim for exemption or refund of assessments must be able to make its sales records and other business documents available to the Commission upon request. Such records must be maintained by all producers and vintners for at least two years (California Food and Agricultural Code Section 74952.7(f)). The Commission reserves the right to verify all claims through an independent audit of the producer (or vintner) making the claim as well as the producer's related vintner or handler's business records by the Secretary of the California Department of Food and Agriculture (California Food and Agricultural Code Section 74952.7(e)).

Lodi Winegrape Commission

CASH RECEIPTS & FIXED ASSET POLICY

Adopted: 6/24/08

The following shall be the policy of the Lodi Winegrape Commission:

1. Cash Receipts

A. Assessment Income

Vintners withhold the assessment due to the Commission from the grower payments. Assessments are remitted to the Commission via direct deposit by vintners into the Commission checking account with Farmers and Merchants Bank.

The bank issues copies of the deposits and supporting remittance advices. The Commission bookkeeper creates a transaction deposit journal, codes the revenue and the cash account. The Commission transfers the monies from the checking into the money market account.

B. Other Income

When checks or cash are received through the mail or in person, the Commission bookkeeper prepares a deposit slip, recording the deposit into Quickbooks at the time of receipt. Deposits are made on an as needed basis, usually twice a week.

Money received via credit card (Master Card and Visa) are run through the credit card machine by the administrative assistant/receptionist and receipts are recorded by the Commission bookkeeper in the general ledger.

The Commission bookkeeper has access to bank information, but does not have authority to move money, this authority resides with the authorized check signers.

2. Fixed Asset Policy

Purchase orders shall be required for all purchases of fixed assets costing over \$5000. Purchase orders will not be processed unless it is an asset identified in the budget or has been approved by the Executive Director and two members of the Executive Committee.

To the extent possible budget allocations are to be proposed for anticipated fixed asset purchases with the expectation that some vital existing assets may expire during the year. The estimated cost and purpose of the budgeted expenditures are to be explained during the

budget process to the Finance Committee and/or the Executive Committee.

The asset shall be placed on the fixed asset inventory listing maintained by the Commission bookkeeper. The listing shall include a code, name of item and brief description as well as date of purchase, cost, life annual and accumulated depreciation.

The listing shall include office equipment, furniture (automobiles) and leasehold improvements. Once a year an accounting in the form of a physical inventory will be conducted on all fixed assets and cross checked against the appropriate fixed asset list. Any discrepancies will be recorded and disclosed to the Board of Directors.

Credit Card Use Policy

Lodi Winegrape Commission credit cards are to be used solely for payment of expenses for program-related business. Use of such cards for personal expenses is at best a misappropriation of state funds and in some cases can be a criminal act.

The following procedures are to be put in place and maintained.

- A control sheet be maintained by the accounting manager listing, for each card, its type (e.g., Visa or MasterCard, gas cards), the sponsoring bank or company, card number, and the dates of issuance, limitation and return.
- The accounting manager is designated to safeguard and distribute the cards and keep the control sheet current.
- The control sheet be periodically reviewed by the executive committee.
- The Lodi Winegrape Commission's name and employee to be printed on the card.
- Dollar limitations will be set, and any charges in excess of \$500 needs to be approved by Executive Director.
- Permissible purchases include gas, travel and entertainment, and Lodi Winegrape Commission supplies.
- Specific persons and staff positions eligible for cards recommended by Executive Director and reviewed by Executive Committee.
- Credit card expenditures are reviewed each month by the Executive Director and, in the case of credit card expenditures by the Executive Director, an officer of the board of directors.
- Individual expenditure reports shall be completed to justify the appropriate use on a monthly basis. Users must attach receipts to the report.

Credit cards are to be returned to the program when not needed or the period of authorization has expired, and upon termination of employment.

LODI WINEGRAPE COMMISSION

EXECUTIVE DIRECTOR EVALUATION PROCEDURE

Pursuant to Section 74895 of the California Food and Agricultural Code, the Commission may employ a person to serve at the pleasure of the Commission to carry out the management of its day to day activities. That individual is known as the Executive Director.

It is the Commission's intent to conduct an annual performance evaluation of the Executive Director for the benefit of both the Commission and the Executive Director.

The procedure for the evaluation shall be as follows.

1. The Commission's evaluation of the Executive Director shall take place in closed session by the Executive Committee in June each year (generally held the second or third week of June). The Executive Committee shall summarize their review in closed session at the June board meeting.
2. No later than April 15 of each year, the Commission Chair shall contact the Commission's legal counsel or other independent firm in charge of facilitating the evaluation to request that the process be commenced. The Commission Chair may confer with the Executive Committee about the evaluation forms to be utilized.
3. No later than May 10 (or the preceding weekday if the 10th falls on a weekend), the Commission's legal counsel (or other firm) shall send an evaluation form and any other necessary documents to all members and alternates on the Commission, and to the Executive Director, asking them to complete and return the forms no later than May 25 (or the preceding weekday if the 25th falls on a weekend). The Executive Director shall return his or her form by May 25th as a self-evaluation.
4. No later than June 15 (or the preceding weekday if the 15th falls on a weekend), legal counsel (or other firm) shall provide the Commission members, alternates and Executive Director with a summary(ies) of the results of the evaluation forms received by the deadline and with the Executive Director's completed self-evaluation form. The summary(ies) of the evaluations shall not disclose the names of the Commission members and alternates providing the scores and/or comments. In no event shall the summary(ies) and the self-evaluation be provided to Commission members and alternates less than 3 days prior to the June board meeting.

End of Document.



LODI WINE

**WINEGRAPE
COMMISSION**

EMPLOYEE POLICY MANUAL

Approved October 20, 2016

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INTRODUCTION

The Lodi Winegrape Commission is a California state government agency organized under the California Food and Agricultural Code. Commission employees are considered state employees, though they are not civil service employees.

This handbook is intended to help you get acquainted with the Lodi Winegrape Commission ("Commission"). It describes, in general terms, some of our employment guidelines. We hope it will serve as a useful reference document throughout your employment at the Commission. Please understand that the handbook is not intended to be a contract (express or implied), nor is it intended to otherwise create any legally enforceable obligations on the part of the Commission or its employees. This handbook supersedes and replaces all previous employee handbooks, personnel policies, practices, and guidelines.

To obtain information regarding specific employment policies or procedures and whether they are referred to in this handbook, contact the Executive Director or any other person assigned this responsibility. The Commission reserves full discretion to add, modify or delete provisions of this handbook, or the policies and procedures on which they may be based, at any time without advance notice. For this reason, you are urged to check with the Executive Director to obtain current information regarding the status of any particular policy, procedure or practice. No individual other than the Executive Director of the Commission with approval of the Executive Committee has the authority to enter into any employment or other agreement that modifies the Commission policy.

This handbook is the property of the Commission, and it is intended for your personal use and reference as an employee of the Commission. Circulation of this handbook outside of the Commission requires the prior written approval of the Executive Director.

Employees must sign the acknowledgment and agreement forms located at the back of this handbook and return it to the Executive Director or any other person assigned this responsibility within one week of receipt. This will provide the Commission a record that you received the handbook.

BACKGROUND

The Lodi Winegrape Commission was established in 1991 by a district-wide grower referendum. Growers in Crush District #11 elected to tax themselves to fund a local Commission to implement programs in Marketing, Education and Research.

MISSION STATEMENT

"Our purpose, as representatives of the common interests of Lodi area winegrape growers, is to increase the quality, value and profitability of the region's winegrape production through research, communication, education and promotion."

OBJECTIVES

The Lodi Winegrape Commission's objectives include:

- Increase the number of wineries buying grapes in the district.
- Bring new wineries into the district.
- Enhance recognition of Lodi wines in the trade and general public.
- Expand the use of environmentally sound Integrated Pest Management practices on a district-wide basis.
- Develop good relations with winemakers and grower relations personnel of major California wineries.
- Distribute enduring promotional pieces including a video and brochure for trade show and mailings. Emphasize area features such as our unique, cooler climate; rich soils and water availability; present of premium winegrape varieties; and small size of area, and average grower holdings, as quality oriented.
- Educate growers about wine quality standards, and grape and wine quality interaction through seminars and tastings.
- Expand and enlarge research projects within the district.
- Provide a grower information services regarding industry trends and research findings.
- Act as a clearing house for grower-vintner communications.
- Actively support local wine events such as the Grape Festival and the Spring Wine Show.
- Develop tourism with vineyard and winery tours and tastings.

EQUAL EMPLOYMENT OPPORTUNITY POLICY

It is the Commission's policy to provide equal employment opportunity for all applicants and employees. The Commission does not unlawfully discriminate on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, veteran status, marital status, sex, age, sexual orientation, gender identity expression, or any other basis protected by state or federal laws. The Commission also makes reasonable accommodations for disabled employees. Finally, the Commission prohibits the harassment of any individual on any of the bases listed above.

This policy applies to all areas of employment including recruitment, hiring, training, promotion, compensation, benefits, transfer, and social and recreational programs. It is the responsibility of every manager and employee to conscientiously follow this policy. If you have any questions regarding this policy, you should discuss them with your supervisor or the Executive Director.

EMPLOYMENT APPLICATIONS

The Commission relies upon the accuracy of information provided in the employee's employment application or resume, as well as the accuracy of other data presented by the employee throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions may result in the Commission's exclusion of the individual from further consideration for employment, or, if the person has been hired, termination of employment.

EMPLOYMENT AT WILL

During the course of your employment, you and the Commission will have the right to terminate your employment at any time, with or without advance notice, and with or without cause. This is called "employment at will" and no one other than the Executive Committee has the authority to alter this arrangement, to enter into an agreement for employment for a specified period of time, or to make any agreement contrary to this policy. Furthermore, any agreement must be in writing and must be signed by the Chairman of the Commission. **No other provision of this employee handbook waives or modifies your status as an at-will employee.**

POLICY AGAINST HARASSMENT

The Commission is committed to providing a workplace free of sexual harassment (which includes harassment based on race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition (including AIDS), pregnancy, veteran status, marital status, sex, age, sexual orientation, gender identity expression, family care or medical leave status, or any other basis protected by federal or state laws. The Commission strongly disapproves of and will not tolerate harassment of employees by managers, supervisors, or coworkers. Similarly, the Commission will not tolerate harassment by its employees of non-employees with whom the Commission's employees have a business, service, or professional relationship. The Commission will attempt to protect employees from harassment by non-employees in the workplace.

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

Harassing conduct can take many forms and may include, but is not limited to, the following: slurs, jokes, gestures, assault, impeding or blocking another's movement or otherwise physically interfering with normal work, pictures, drawings, or cartoons based upon an employee's race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, veteran status, marital status, sex, age, sexual orientation, gender identity expression, family care or medical leave status, or any other basis protected by federal or state laws.

Sexually harassing conduct in particular may include all of these prohibited actions, as well as other unwelcome conduct, such as requests for sexual favors, conversation containing sexual comments, and other unwelcome sexual advances. Sexually harassing conduct can be by a person of either the same or opposite sex.

Any incidents of harassment, including work-related harassment by any Commission personnel or any other person, should be reported to the Executive Director, who is responsible for investigating harassment complaints. An employee is not required to report to the Executive Director if the Executive Director is the individual who is harassing the employee, but may instead report the harassment to his or her immediate supervisor or any other member of management. Supervisors who receive complaints or who observe harassing conduct should inform the Executive Director immediately.

Every complaint of harassment that is reported to the Executive Director or any supervisor will be investigated thoroughly and promptly. The investigation will be handled in as confidential a manner as possible consistent with a full, fair, and proper investigation. The Executive Director will not investigate a complaint with allegations involving the Executive Director.

The Commission will not tolerate retaliation against any employee for cooperating in an investigation or for making a complaint of harassment. In the case of the Commission's employees, if harassment is established, the Commission will take corrective action. Corrective action for a violation of this policy can range from verbal or written warnings up to and including immediate termination, depending upon the circumstances. With regard to acts of harassment by non-employees, corrective action will be taken after consultation with the appropriate management personnel.

HOURS OF WORK, OVERTIME, AND PAY DAY

I. Hours of Work

The Commission's normal office hours are Monday through Friday from 8:00 a.m. to 5:00 p.m. with a one-hour unpaid lunch break. Visitor Center hours are 8:00 am to 5:00 pm., Monday through Sunday, unless otherwise scheduled. Each full time non-exempt employee is allowed 2 paid 10-minute breaks as required by law. Supervisors will advise employees in advance of their individual work schedules. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours scheduled during each day and each week.

II. Overtime

A. Overtime Definition and Rate of Pay

All nonexempt employees who work more than eight (8) hours in one workday or more than forty (40) hours in one workweek will receive overtime pay computed as follows:

1. Overtime compensated at the rate of 1½ times the employee's regular rate of pay will be provided for all hours worked in excess of forty (40) in one workweek, for the first four (4) hours in excess of eight (8) in any one workday, and for the first eight (8) hours on the seventh day of work in one workweek; and

2. Overtime at the rate of two (2) times the employee's regular rate of pay will be provided for all hours worked in excess of twelve (12) in one workday, and for all hours worked in excess of eight (8) on the seventh day of work in one workweek.

Overtime will be computed on actual minutes worked, adjusted to the nearest increment of fifteen (15) minutes.

Only those hours that are actually worked are added together to determine an employee's overtime pay. Compensated holidays, for example, are not hours worked and are therefore not counted in making overtime calculations.

B. Workweek and Workday

Unless otherwise provided:

1. The workweek on which overtime calculations will be based begins each Sunday at midnight; and

2. Each workday on which daily overtime calculations will be based begins at midnight.

C. Pre-Authorization

Non-exempt employees may not work overtime without the express prior approval of his or her supervisor.

III. Pay Days

A. Place for Payment

Employees are paid semi-monthly on the 15th and the last day of the month. Each paycheck will include earnings for all work performed during each pay period.

In the event that a regularly scheduled pay day falls on a weekend or holiday, employees will be paid on the last workday before the regularly scheduled pay day. If the payday falls on Saturday, the employee will receive pay on Friday. If payday falls on Sunday, employee will receive pay on Monday.

If a regular pay day falls during an employee's vacation, the employee may make arrangements for the paycheck to be picked up or mailed or the paycheck will be held until the employee's return. If the employee wishes for someone else to pick up his or her

paycheck during a vacation, the employee should leave a written authorization indicating the person who is authorized to receive the employee's paycheck. Paychecks will not be released to anyone other than the employee without a written authorization.

B. Method of Payment

Exempt employees have the option of receiving a payroll check or payment through direct deposit. Please submit your preference in writing to the controller.

C. Recording Time Worked

Hourly employees must maintain an accurate record of all time worked. Time sheets must be submitted to the controller at least three days prior to each pay day. Please ask your supervisor if you have any questions about this procedure.

D. Pay Deductions

The law requires that the Commission make certain deductions from every employee's compensation, including, but not limited to, applicable federal, state, and local income taxes, and social security deductions. If you have any questions concerning deductions made from your paycheck or how they were calculated, please contact your supervisor.

E. Errors and Corrections

The Commission takes all reasonable steps to ensure that all employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled pay day. In the unlikely event that there is an error in the amount of pay or in the calculation of deductions, the employee should promptly bring the concern to the attention of his or her supervisor so that corrections can be made as quickly as possible.

F. Pay Advances

The Commission does not provide pay advances to any employee on unearned wages.

IV. Lactation Policy

The Commission accommodates lactating employees by providing a reasonable amount of break time to any employee who desires to express breast milk for an infant child. The break time shall, if possible, run concurrently with any break time already provided to the employee. Any break time provided to express breast milk that does not run concurrently with break time already provided to the employee shall be unpaid. However, if providing such break time would seriously disrupt the operations of our business, we may deny break time to employees who wish to express breast milk. We will make reasonable efforts to provide employees who need a lactation accommodation with the use of a room or other private location that is located close to the employee's work area. Employees with private offices will be required to use their offices to express breast milk. Employees who desire lactation accommodations should contact their supervisor to request accommodations.

EMPLOYEE CLASSIFICATIONS

Throughout this handbook, employees are classified in various ways, as set forth below.

I. By Number of Hours Worked

A. Full-Time Employees

Full-time employees are all those having a regular work schedule of forty (40) hours or more per week. Regular full-time employees are eligible for all Commission-sponsored benefits, subject to any restrictions described in this handbook or in the Summary Plan Description. Full-time employees should ask their supervisors for more details on the current benefits policy.

B. Part-Time Employees

Part-time employees are all those having a regular work schedule of less than forty (40) hours per week. Part-time employees do not accrue vacation or sick leave hours. Part-time employees should ask their supervisors for more details on the current benefits policy.

II. By Length of Employment

A. Temporary Employees

Temporary employees are all those hired to work for the Commission on special assignment with the specific understanding that the work will be completed within a short period of time. Temporary employees do not become regular employees as a result of the passage of time.

B. Regular Employees

Regular employees are all full-time and part-time employees who have satisfactorily completed at least 180 days of continuous service.

C. Casual Employees

Casual employees are all those who are hired on a sporadic basis to work for a few hours or days at a time.

D. On-Call Employees

On-call employees are all those who are hired for the purpose of providing relief on short notice in the event of an unexpected absence by another employee.

III. By Method of Payment

A. Salaried Employees

Salaried Employees are all those who are paid a fixed salary and not by the hour.

B. Hourly Employees

Hourly employees are all those whose wages are paid by the hour and fluctuate according to the number of hours worked.

IV. By Eligibility for Overtime

A. Nonexempt Employees

Nonexempt employees are all those who are eligible to be paid for overtime work in accordance with the provisions of applicable wage and hour laws.

B. Exempt Employees

Exempt employees are all those who are not eligible for overtime pay.

V. Change in Employment Status

The Commission may change the employment classification of any employee at any time based on the nature of the employment assignment.

VACATION POLICY

The Commission has established a vacation plan to provide eligible employees with a period of rest and relaxation without loss of pay or benefits. Vacation pay is equal to the employee's base pay rate at the time of vacation.

I. Eligibility

All regular full-time (office and clerical) employees begin accruing vacation benefits based on their continuous length of service, measured from their date of hire. Vacation will accrue as follows:

<u>Years of Eligible Service</u>	<u>Rate of Accrual</u>
Up to 1 Year	.833 days/month (10 days per year)
2 or more	.833 days/month plus 1 day for every year of service.

Temporary, casual, on-call, and part-time employees are not eligible for vacation pay.

II. Administration

A. Maximum Accrual

Employees may carry over accrued but unused vacation from one year to the next. However, vacation accruals may not exceed 20 days for any employee. Once this maximum is reached, all further accruals will cease. Vacation accruals will recommence after the employee has taken vacation and his or her accrued vacation days have dropped below the 20-day maximum.

B. Vacation Advances

You may not take vacation before you have earned it.

C. No Pay In Lieu of Vacation

No employee will receive pay in lieu of vacation except on termination of his or her employment, as provided in subparagraph F, below.

D. Approval

All vacations must be approved in advance by your supervisor. Requests for vacation time in excess of one week should be submitted in writing at least two weeks in advance to the Executive Director or any other person assigned this responsibility.

E. Scheduling Conflicts

In the event that you and another employee have requested vacations covering the same period and may not be absent simultaneously, preference will be given to the employee with the greater length of service.

F. Vacation Pay on Termination

On termination of employment, you will be paid all accrued but unused vacation at your current pay rate.

G. Holidays

An observed Commission holiday that falls during a vacation period will be treated as a holiday and not as a day of vacation taken.

H. Vacation Accrual During Leaves of Absence

If you take a leave of absence, you will not earn vacation during the leave. Vacation accruals will recommence when you return to work.

I. "Working" while on vacation.

There is no general expectation that employees are to work or "check in" while on vacation. Days away from work for vacation will not be considered "time worked" just because you voluntarily check your email or voicemail or perform work that was not requested by your supervisor. Time away from work for vacation that would normally be deducted from your accrued vacation leave (or deducted from your pay if no accrued vacation leave is available) will only be considered "time worked" if the activity performed during your vacation period was specifically and expressly requested by your supervisor.

HOLIDAYS

The Commission provides full-time employees the following paid holidays each year:

New Year's Day	Thanksgiving Day
Presidents' Day	Day after Thanksgiving
Memorial Day	Christmas Day
Independence Day	Labor Day
Veteran's Day	One floating holiday

For each observed holiday listed above, eligible employees will receive a day off with pay. Temporary, casual, on-call, and part-time employees are not eligible to earn or receive holiday pay.

I. Pay in Lieu of Holiday

The Commission may in its discretion, require you to work on observed holidays and provide you with pay in lieu of the observed holiday.

II. Floating Holidays

The floating holiday is an additional benefit for the Commission's regular full-time employees. You may take one day off, with pay, at any time during the calendar year, for any reason, subject only to the scheduling requirements of your supervisor. A floating holiday cannot be carried over to the next year. Employees who do not use their floating holiday during the calendar year will be paid for the day not taken at the end of each year. The amount an employee receives in payment for a floating holiday not taken is equal to the amount of pay to which he or she would have been entitled on a normal workday.

III. Weekends and Vacations

When an observed holiday falls on Sunday, it will be observed on the following Monday. When an observed holiday falls on a Saturday, it will be observed on the preceding Friday. Holidays that occur during your vacation will not be counted as vacation days.

IV. Leaves of Absence

Unless required by law, no holiday pay is provided during an unpaid leave of absence. Paid holidays recommence when the employee returns to work.

SICK LEAVE

In order to help prevent loss of earnings that may be caused by accident or illness, the Commission has established paid sick leave.

I. Eligibility and Accrual

Beginning on their date of hire, all non-temporary full-time employees are eligible to accrue 8 hours paid sick leave per month (12 days per year). However, paid sick leave may not be used during the first 30 days of employment.

Eligible non-temporary full-time employees may carry over accrued but unused sick leave from one year to the next. However, sick leave may only be accumulated up to a total of 96 hours. Once this maximum is reached, all further accruals will cease until some sick leave has been used and the total drops below the 96-hour maximum.

On July 1, 2015 or their date of hire, whichever is later, part-time and temporary employees shall receive 3 days (24 hours) of paid sick leave. However, paid sick leave may not be used during the first 30 days of employment. Each part-time and temporary employee will thereafter receive 3 paid sick days every 12 months (on July 1 or the anniversary of their hire date, whichever is applicable). Part-time and temporary employees may carry over accrued but unused sick days from one year to the next up to a total of 6 days (48 hours). Once the 6 day/48 hour maximum is reached, all accruals will cease until some sick leave has been taken and the accrued days/hours have fallen below the 6 day/48 hour maximum.

II. Use

A. Sick leave may be taken for personal illness, emergency, or disability, or for illness, emergency, or disability in the employee's immediate family. "Immediate family" is defined as the employee's spouse, domestic partner, children, parents, grandparents, brothers and sisters, and parents of the employee's spouse or domestic partner.

B. Hours absent for medical and dental appointments will be treated as sick leave.

C. The Commission retains the right to request verification from a licensed health care provider for any absence due to illness or disability. Sick pay may be withheld if a satisfactory verification is not received.

D. Use of sick leave for personal or family emergencies is subject to the approval of your supervisor.

III. Pay in Lieu of Sick Leave

No employee will receive pay in lieu of sick leave under any circumstances and employees will not receive pay for unused sick leave on termination of employment.

IV. Payment for Sick Leave

When using paid sick leave, employees will be paid for the hours they would normally have worked on the day or days the sick leave was used.

V. "Working" While on Sick Leave

There is no general expectation that employees are to work or “check in” while on sick leave. Hours or days away from work for illness or injury will not be considered “time worked” just because you voluntarily check your email or voicemail or perform work that was not requested by your supervisor. Time away from work for illness or injury that would normally be deducted from your accrued sick leave (or deducted from your pay if no accrued sick leave is available) will only be considered “time worked” if the activity performed during your sick leave was specifically and expressly requested by your supervisor.

LEAVES OF ABSENCE

I. Introduction

The Commission provides (1) family care and medical leave for up to 12 weeks per year in accordance with California's Moore-Brown-Roberti Family Rights Act and the federal Family and Medical Leave Act of 1993; (2) pregnancy leave for up to four months in accordance with the California Fair Employment and Housing Act (“FEHA”); (3) disability leave as required to reasonably accommodate employees with a workplace injury or a qualified disability under the Americans with Disabilities Act (“ADA”) or the FEHA; and (4) leave for other legally required absences as set forth below. Employees having any questions regarding this policy should contact the Executive Director.

II. Family Care and Medical Leave

A. Eligibility

To be eligible for family care and medical leave, an employee must (1) have worked for the Commission for at least twelve months prior to the date on which the leave is to commence and (2) have worked at least 1,250 hours in the twelve (12) months preceding the leave.

B. Permissible Uses of Family Care and Medical Leave

"Family care leave" may be requested for (1) the birth or adoption of an employee's child; (2) the placement of a foster child with the employee; (3) the serious health condition of an employee's child, spouse, or parent, or (4) to care for a member of the armed services or deal with the service member's absence as described in Section V below. "Medical leave" may be requested for an employee's own serious health condition. A "serious health condition" is one that requires either in-patient care in a medical facility or continuing treatment or supervision by a health care provider.

C. Substitution of Paid Leave for Family Care and Medical Leave

Employees are required to substitute accrued vacation time and other paid personal leave (but not sick leave) for all family care and medical leaves. Employees are required to substitute sick leave only for medical leaves. Employees may elect to substitute sick leave for other types of family care leave.

D. Amount of Leave

Provided all the conditions of this policy are met, an employee may take a maximum of twelve (12) weeks of family care and medical leave in a rolling 12-month period measured backwards from the date the employee's leave commences.

The substitution of paid leave for family care or medical leave does not extend the total duration of family care and medical leave to which an employee is entitled to beyond twelve (12) weeks in a 12-month period. For example, if an employee has accrued four (4) weeks of unused paid vacation time at the time of the request for family care or medical leave, that paid vacation time will be substituted for the first four (4) weeks of family care or medical leave, leaving up to eight (8) additional weeks of unpaid leave.

Family care leave taken for the birth, adoption, or foster care placement of a child generally must be taken in blocks of at least two weeks' duration; however, the Commission will provide employees with family care leave for birth, adoption, or foster care placement for less than two weeks' duration on any two (2) occasions. Family care leaves for the birth, adoption, or foster care placement of a child must be concluded within one (1) year of the birth, adoption, or placement.

Family care or medical leave for the employee's own serious health condition or for the serious health condition of the employee's spouse, domestic partner, parent, or child, may be taken intermittently or on a reduced schedule where medically necessary. If leave is taken intermittently or on a reduced schedule, the Commission retains the discretion to transfer the employee temporarily to an alternative position with equivalent pay and benefits which better accommodates the employee's leave schedule.

E. Leave's Effect on Pay

Except to the extent that other paid leave is substituted for family care or medical leave, family care and medical leave is unpaid. Employees may be entitled to Paid Family Leave ("PFL") for up to six (6) weeks in any twelve (12) month period. PFL provides a partial wage replacement for absences from work to care for a seriously ill or injured family member or for bonding with a minor child within one (1) year of the birth or placement of the child in connection with foster care or adoption. Employee contributions for short term disability provide funding for this program. PFL is administered like State Disability Insurance by the California Employment Development Department. PFL must be taken concurrently with family care and medical leave and does not entitle an employee to take any additional time off. In addition, an employee must use up to two weeks of any accrued but unused vacation before the employee will be eligible to receive PFL.

F. Leave's Effect on Benefits

During an employee's family care or medical leave, for up to a maximum of twelve (12) weeks in a 12-month period, the Commission shall continue to pay for the employee's participation in the Commission's group health plans to the same extent and under the same terms and conditions as would apply had the employee not taken leave.

If the employee fails to return from the leave for a reason other than the recurrence or continuation of the health condition that brought about the leave or other circumstances beyond the employee's control, the Commission can recover any health premiums paid by the Commission on the employee's behalf during any unpaid periods of the leave.

Employees on family care and medical leave accrue employment benefits, such as sick leave, vacation benefits, or seniority only when paid leave is being substituted for unpaid leave and only if the employee would otherwise be entitled to such accrual.

G. Procedure for Requesting Family Care and Medical Leave

1. Notice Requirements

Employees should notify the Commission of their request for family care or medical leave as soon as they are aware of the need to take this leave. For foreseeable events, if possible, the employee must provide thirty (30) calendar days advance notice to the Commission of the need for family care or medical leave. For events that are unforeseeable thirty (30) days in advance, but are not emergencies, the employee must notify the Commission as soon as he or she learns of the need for the leave, ordinarily no later than one (1) to two (2) working days after the employee learns of the need for the leave. If the leave is requested in connection with a planned, nonemergency medical treatment, the employee may be requested to reschedule the treatment so as to minimize disruption of the Commission's business.

If an employee fails to provide the requisite 30-day advance notice for foreseeable events without any reasonable excuse for the delay, the Commission reserves the right to delay the taking of the leave until at least thirty (30) days after the date the employee provides notice of the need for family care or medical leave.

All requests for family care or medical leave should include the anticipated date(s) and duration of the leave. Any requests for extensions of a family care or medical leave must be received at least five (5) working days before the date on which the employee was originally scheduled to return to work and must include the revised anticipated date(s) and duration of the family care or medical leave.

2. Medical Certification

Any request for medical leave for an employee's own serious health condition or for family care leave to care for a child, domestic partner, spouse, or parent with a serious health condition must be supported by medical certification from a health care provider.

For foreseeable leaves, employees must provide the required medical certification before the leave begins. When this is not possible, employees must provide the required certification within fifteen (15) calendar days after the Commission's request for certification, unless it is not practicable under the circumstances to do so, despite the employee's good faith efforts. Failure to provide the required medical certification may result in the denial of foreseeable leaves until the certification is provided. In the case of unforeseeable leaves, failure to provide the required medical certification within 15 days of being requested to do so may result in a denial of the employee's continued leave. Any request for an extension of the leave also must be supported by an updated medical certification.

The medical certification for a child, domestic partner, spouse, or parent with a serious health condition shall include (a) the date on which the serious health condition commenced; (b) the probable duration of the condition; (c) the health care provider's estimate of the amount of time needed for family care; (d) the health care provider's assurance that the health care condition warrants the participation of the employee to provide family care; and (e) in the case of intermittent or reduced schedule leave where medically necessary, the probable duration of this schedule.

The medical certification for leave for the employee's own serious health condition shall include (a) the date on which the serious health condition commenced; (b) the probable duration of the condition; (c) a statement that, due to the serious health condition, the employee is unable to perform the functions of his or her position; and (d) in the case of intermittent leave or reduced schedule leave where medically necessary, the probable duration of this schedule. In addition, the certification may, at the employee's option, identify the nature of the serious health condition involved. If the Commission has reason to doubt the validity of the certification provided by the employee, the Commission may require the employee to obtain a second opinion from a doctor of the Commission's choosing at the Commission's expense. If the employee's health care provider and the doctor providing the second opinion do not agree, the Commission may require a third opinion, also at the Commission's expense, performed by a mutually agreeable doctor who will make a final determination. Before permitting the employee to return to work, the Commission also may require the employee to provide medical certification that he or she is able to return to work.

H. Leave's Effect on Reinstatement

Employees returning from family care or medical leave are entitled to reinstatement consistent with applicable law. The Commission retains the right to deny reinstatement to employees who are among the highest paid ten percent (10%) of the Commission's employees and to those whose reinstatement would cause substantial and grievous economic injury to the Commission's operations.

III. Pregnancy-Related Disability Leave or Transfer

A. Eligibility and Duration

1. Leave of Absence

Any employee who is disabled on account of pregnancy, childbirth, or related conditions may take a pregnancy-related disability leave for the period of actual disability of up to four (4) months, in addition to any family care or medical leave to which the employee may be entitled under Section II of this policy (Family Care and Medical Leaves).

2. Temporary Transfer Before Childbirth.

An employee is entitled to a reasonable accommodation for pregnancy, childbirth, or related medical conditions if she so requests and provides the Commission with medical certification from her health care provider. In addition to other forms of reasonable accommodation, a pregnant employee is entitled to transfer temporarily to a less strenuous or hazardous position or to less strenuous or hazardous duties if she so requests, the transfer is supported by proper medical certification, and the transfer can be reasonably accommodated.

B. Substitution of Paid Leave for Pregnancy-Related Disability Leave

An employee taking pregnancy-related disability leave must substitute any available sick pay for her leave and may, at her option, substitute any accrued vacation time for her leave. The substitution of paid leave for pregnancy-related disability leave does not extend the total duration of the leave to which an employee is entitled.

C. Leave's Effect on Benefits

If an employee taking a pregnancy-related disability leave is also eligible for family care and medical leave under Section II, then the employee is entitled to continuation of benefits as described in Section II (F) above, up to a maximum of twelve (12) weeks in a 12-month period.

D. Other Terms and Conditions of Leave

The provisions of the Commission's Family Care and Medical Leave policy regarding the leave's effect on pay (Section II(E)), notice requirements (Section II(G)(1)), medical certification requirements (Section II(G)(2)); and reinstatement (Section II(H)) also apply to all pregnancy-related disability leaves. However, for pregnancy-related disabilities, there is no process for obtaining more than one medical opinion, and there is no reinstatement exception for key employees. For the purpose of applying those provisions, an employee's pregnancy-related disability is considered to be a serious health condition.

IV. Other Disability Leaves

In addition to medical or pregnancy-related disability leaves described in Sections II and III, employees may take a temporary disability leave of absence if necessary to reasonably accommodate a workplace injury or a disability under the ADA or the FEHA. Any disability leave under this section runs concurrently with any medical leave to which the employee is entitled under Section II of this policy.

Disability leaves under this section will be unpaid.

Employees taking disability leave must comply with the Family Care and Medical Leave provisions regarding substitution of paid leaves (Section II(C)), notice (Section II(G)(1)), and medical certification (Section II(G)(2)). For the purpose of applying these provisions, a disability leave will be considered to be a medical leave.

If a disability leave under this section extends beyond twelve (12) weeks in a 12-month period, the employee will not be entitled to any continued employer contributions

towards any employee benefit plan. An employee, however, may elect to continue participating in benefit plans, at the employee's own expense, to the extent permitted by these plans.

The duration of a leave under this section shall be consistent with applicable law and reasonable, but in no event shall the leave extend past the date on which an employee becomes capable of performing the essential functions of his or her position, with or without reasonable accommodation.

V. Other Leaves of Absence

The Commission also grants eligible employees leaves of absence for military duty, jury or witness duty, certain court appearances, appearances at school or daycare activities by a parent, emergency duty as a volunteer firefighter, to vote in a statewide election, organ donation, time off related to status as a crime victim, or for bereavement leave. Unless otherwise required by law or this guideline, employees will not be paid for this leave. Employees wishing to take a leave of absence for one of these reasons should refer to the procedures outlined below or contact the Executive Director for further information.

A. Military Leave of Absence

Employees may take up to 26 workweeks of leave in a 12-month period to care for a member of the armed services (active, reserve or National Guard) who is a family member (spouse, son, daughter, parent, or next of kin) with a serious illness or injury incurred in the line of duty on active duty.

The single 12-month period for leave to care for a covered service member with a serious injury or illness begins on the first day the employee takes leave for this reason and ends 12 months later, regardless of the 12 month period established by the Commission for other types of FMLA leave. An eligible employee is limited to a **combined** total of 26 workweeks of leave for any FMLA-qualifying reason during the single 12-month period. Other FMLA requirements apply (the employee must have worked for the employer for a total of 12 months, have worked at least 1,250 hours over the previous 12 months, proof of qualifying condition, etc).

In addition, employees who are family members of a National Guard or Reserves service member may take FMLA job-protected leave up to 12 weeks for "any qualifying exigency" arising out of the fact that a covered Guard or Reserve member is on active duty or called to active duty status in support of a contingency operation. "Qualifying exigency" is defined as: (1) Short-notice deployment; (2) Military events and related activities; (3) Childcare and school activities; (4) Financial and legal arrangements; (5) Counseling; (6) Rest and recuperation; (7) Post-deployment activities; and (8) Additional activities not encompassed in the other categories, but agreed to by the employer and employee.

B. Jury or Witness Duty

The Commission will provide employees time off to serve, as required by law, on a jury or grand jury if the employee provides reasonable advance notice. The Commission will also provide employees with time off to appear in court or other judicial proceedings as a witness to comply with a valid subpoena or other court order.

Employees will be granted a paid leave of absence of up to ten business days per year for the purpose of fulfilling jury or witness duty. Any jury or witness duty that extends beyond ten business days per year will be unpaid. However, exempt employees who work any portion of a workweek in which they also serve on jury duty or appear as a witness will receive their full salary for that workweek. Employees may request to substitute accrued vacation during any unpaid leave due to jury duty or a witness appearance. Employees are required to provide reasonable advance notice of the need for jury or witness leave.

C. Leave For Education/Daycare Purposes

Employees will be granted time off without pay for up to forty (40) hours per calendar year, but no more than eight (8) hours in any calendar month, to participate in the activities of schools or licensed child daycare facilities attended by their children. Employees must take this leave as unpaid or substitute accrued vacation for purposes of a planned absence under this Section. Employees wishing to take time off under this Section must provide their supervisors with reasonable notice of the planned absence.

The Commission reserves the right to request that the employee furnish written verification from the school or daycare facility as proof that the employee participated in school or daycare activities on the specific date and at a particular time. Failure to provide written verification is grounds for disciplinary action.

D. Volunteer Firefighter

Non-exempt employees will be granted unpaid time off to perform emergency duties as a volunteer firefighter. Exempt employees who work any portion of a workweek in which they also perform emergency duties as a volunteer firefighter will receive their full salary for that workweek. Otherwise, exempt employees will be granted time off without pay. Employees may substitute vacation pay for any unpaid portion of leave to perform emergency duties as a volunteer firefighter.

E. Voting Time Off

Employees who do not have sufficient time outside of their regular working hours to vote in a statewide election may request time off to vote. If possible, employees should make their request at least two (2) days in advance of the election. Up to two hours of paid time off will be provided, at the beginning or end of the employee's regular shift, whichever will allow the most free time for voting and the least time off work.

F. Bereavement Leave

Employees will be allowed up to three (3) consecutive working days off to arrange and/or attend the funeral of an immediate family member. For purposes of this policy an employee's immediate family is defined to include current spouse, domestic partner, father, mother, sister, brother, children, current parent in-law, grandparents, and grandchildren. Regular full-time employees will be paid their regular base rate of pay for each day of absence. All other employees will not be paid during bereavement leave. If an employee requires more than three (3) days off for bereavement leave, the employee may request additional unpaid leave or may request the opportunity to use any accrued vacation time.

G. Leave for Organ and Bone Marrow Donation

The Commission will grant an employee the following paid leaves of absence for the purpose of organ or bone marrow donation:

1. A leave of absence of up to five days in any one-year period for the purpose of donating the employee's bone marrow to another person.
2. A leave of absence of up to 30 days in any one-year period for the purpose of the employee donating his or her organ to another person.

The leaves of absence described above for the purpose of organ or bone marrow donation will be provided with pay; however, if an employee has any earned but unused sick or vacation time available, the employee is required to first use up to 5 days of paid sick or vacation time for a bone marrow donation and up to 10 days of sick or vacation time for organ donation.

In order to receive a leave of absence pursuant to this policy, the employee must provide written verification that he or she is an organ or bone marrow donor and that there is a medical necessity for the donation of the organ or bone marrow.

Any leave taken for the donation of an organ or bone marrow will not constitute a break in service for purposes of the employee's right to salary adjustments, sick leave, vacation, or seniority. During any leave taken under this policy, the Commission will maintain and pay for coverage under any group health plan, for the full duration of this leave. Leave provided under this policy may be taken in one or more periods.

Upon expiration of a leave of absence authorized by this policy, the Commission will restore the employee to the position held by the employee when the leave began or to a position with equivalent seniority status, employee benefits, pay, and other terms and conditions of employment. However, nothing in this section mitigates the Commission's right to terminate an employee at any time, with or without cause.

H. Crime Victims' Leave

The Commission will provide unpaid time off to an employee to attend judicial proceedings related to a crime, if that employee is a victim of crime, an immediate family member of a victim, a registered domestic partner of a victim, or the child of a registered domestic partner of a victim. The Commission requires that where feasible, in advance of taking leave, the employee provide it with a copy of the notice of each scheduled proceeding that is provided to the victim by the agency responsible for providing notice. If advance notice is not possible, the employee is required to provide the Commission with a copy of the notice within a reasonable time.

I. Other Leaves of Absence

Occasionally, for medical, personal, or other reasons, you may need to be temporarily released from the duties of your job with the Commission. It is the policy of the Commission to allow its eligible employees to apply for and be considered for certain specific unpaid leaves of absence. If the leave is necessary for a qualified disability under

the ADA or state law, the duration of the leave shall be consistent with applicable law, but in no event shall the leave extend past the date on which the employee becomes capable of performing the essential functions of his or her position, with or without reasonable accommodation.

Except for ADA and state-required disability leaves, all unpaid leaves under this section are granted in the sole discretion of the Commission and are considered in light of operational needs. No leave under this section shall exceed four (4) months unless required by law.

Failure to return to work as scheduled from an approved leave of absence will be considered a voluntary resignation of employment.

All requests for unpaid leaves of absence under this section shall be submitted in writing to the Executive Director. Each request shall provide sufficient detail such as the reason for the leave and the expected duration of the leave. Requests should be provided at least 30 days in advance when at all possible, but leaves on shorter notice will be considered depending on the circumstances.

J. Benefits During Unpaid Leaves of Absence

Except when required by law or elsewhere in this Handbook, health and similar insurance premiums paid by the Commission, if any, must be paid by the employee during an unpaid leave of absence.

You will not accrue vacation, sick time, or holiday pay during any unpaid leave of absence unless required by law.

SAFETY

Certain job descriptions may include field duties in area vineyards. Employees shall comply at all times with state and federal laws and regulations regarding re-entry of vineyards after the use of agricultural chemicals. A non-exclusive list of chemicals and relevant re-entry periods shall be periodically provided to any employee who performs field duties. Cooperating growers will be requested to notify the Commission prior to the use of any agricultural chemical. However, the responsibility for complying with posted re-entry periods and coordinating fieldwork with growers, lies with the employee. In addition, employees should notify the Commission immediately of any medical condition, including but not limited to, pregnancy, allergies, or respiratory conditions, which may be adversely affected by exposure to agricultural chemicals.

COMPANY PROPERTY; CONFIDENTIAL AND PROPRIETARY INFORMATION

The security of employees, employee property, and Commission property is of vital importance to the Commission. All employees share responsibility to ensure that proper security is maintained. Any breach of security should be reported promptly to your supervisor or the Executive Director.

The Commission property includes not only tangible property, like desks and equipment, but also intangible property such as information. Of particular importance are proprietary information and confidential information. Proprietary information includes all information obtained by the Commission employees during the course of their work. This handbook, for example, contains proprietary information. Confidential information is any Commission information that is not known generally to the public or the industry. For example, confidential information includes producer lists, assessment files, personnel files, computer records, financial and marketing data, formulas and trade secrets. Employees may not disclose or use proprietary or confidential information except as their jobs require. Anyone who violates this guideline will be subject to discipline, up to and including termination, and possible legal recourse.

OPEN DOOR POLICY

The purpose of the Open Door Policy is to implement the philosophy of the Commission that employees should be encouraged to raise their work-related concerns informally with their immediate supervisors or with any other supervisor of their choice. The Commission will attempt to keep all expressions of concern, their investigation, and the terms of their resolution confidential, recognizing, however, that in the course of investigating the concerns some dissemination of information to others may be appropriate.

Employees are encouraged to raise work-related concerns with their immediate supervisor as soon as possible after the event that causes the concern. Alternatively, if you believe that your immediate supervisor is not the appropriate person with whom to raise the concern, you may raise it with the Executive Director or with any other Commission supervisor.

You are encouraged to pursue discussion of your work-related concerns with the supervisor of your choice until the matter is fully resolved. It may not always be possible to achieve the result you want, but if not, the Commission will attempt in each case to explain why. The Commission believes that employee concerns are best addressed through informal and open communication. No employee will be disciplined or otherwise penalized for raising a good-faith concern. If you feel that your work-related concern should be brought to the attention of the Commission by written complaint and formal investigation, you may use the "Internal Complaint Review" procedure set forth in this handbook.

INTERNAL COMPLAINT REVIEW

The purpose of Internal Complaint Review Policy is to afford all employees of the Commission the opportunity to seek internal resolution of their work-related complaints. This policy is intended to supplement the "Open Door Policy" set forth in this handbook, which states the philosophy of the Commission that all employees have free access to their immediate supervisors or to other Commission supervisors of their choice to informally express their work-related concerns. The Commission will attempt to treat all internal complaints and their investigation as confidential, recognizing, however, that in the course of investigating and resolving internal complaints some dissemination to others may be appropriate.

I. Procedure

A. Filing of Complaint

Complaints should be filed as soon as possible after the date of the events that give rise to your work-related concern by completing a Complaint Form available from your supervisor. Complaint Forms must be filled out completely and must set forth in detail the bases for your complaint. The original of the Complaint Form must be sent to the Executive Director.

B. Investigation

The Executive Director will date and log all Complaint Forms and send you an acknowledgment that your complaint is under review.

The Executive Director or his or her designee will investigate the allegations of your complaint by meeting separately with you and with others who either are named in your complaint or who may have knowledge of the facts set forth in your complaint.

On completion of the investigation, the Executive Director will orally report his or her findings and conclusions to you. If the complaint is resolved to your satisfaction, the terms of the resolution will be recorded and signed by you and by the Executive Director.

II. Appeal

If the complaint is not resolved to your satisfaction, you may submit a written request for review of your complaint to the Executive Director. Upon completion of the appeal review, you will receive an oral explanation of the conclusion reached and the reasons for that conclusion. Decisions resulting from appeal reviews by the Executive Director will be final.

III. Non-Retaliation

If you have filed a complaint in good faith, you will not be unlawfully disciplined or otherwise retaliated against, even if the Commission does not agree with your complaint.

PROOF OF RIGHT TO WORK

Under federal law, all new hires must produce original documentation establishing their identity and right to work in the United States, and complete the required federal forms, swearing that they have a right to work in the United States.

PERSONNEL RECORDS

It is important that the Commission personnel files contain current information regarding each employee. You should inform the controller whenever there are changes in your personal data such as address, telephone number, marital status, number of

dependents, and person(s) to notify in case of emergency. You are also responsible for maintaining a current group life insurance beneficiary designation.

You have the right to inspect your personnel file at reasonable times on reasonable notice. You may also obtain copies of any document in your personnel file that you have signed.

Personnel files are the property of the Commission. The information contained in the personnel files is permanent and confidential.

DRESS AND GROOMING STANDARDS

It is in the Commission's best interests to present a professional image to its members and to the public. Accordingly, while the Commission has no formal dress code, it is expected that all employees will dress in a manner consistent with their position, good hygiene, safety, and good taste.

SMOKING

Smoking is allowed only in designated areas. Violations of this policy may result in disciplinary action, up to and including termination of employment.

PERSONAL TELEPHONE CALLS

It is important to keep the Commission's telephone lines free for important calls. Although the occasional use of the Commission's telephones for personal reasons may be necessary, these calls should be kept to a minimum.

VEHICLE USE

Employees may be required to use their personal vehicle from time to time for conducting Commission activities. Employees will be reimbursed for mileage while on Commission business at the then current IRS mileage reimbursement rate. Employees will not be reimbursed for mileage between their home and any Commission office. Employees whose jobs require the use of their personal vehicle are required to have a valid driver's license and carry liability insurance coverage in the following amounts:

- Bodily injury, each person: Minimum \$100,000
- Bodily injury, each accident: Minimum \$300,000
- Property injury, each accident: Minimum \$50,000

The employee's personal auto insurance must cover driving for work purposes when using one's personal vehicle. The Commission may also require an employee to provide a DMV printout of their Motor Vehicle Record at Commission expense upon hire or at any time during their employment.

Employees who drive a rental car for business purposes are required to purchase the rental agency's CDW/LDW insurance coverage when renting a vehicle. Other forms of insurance should be waived when renting vehicles for Commission use.

MOVING AND RELOCATION EXPENSES

Upon recommendation of the Commission and approval of the Executive Director, employees may be paid their actual and necessary moving and relocation expenses, incurred both before and after and by reason of a change of residence whenever employees are required because of a change in assignment, promotion, or other reason related to their duties to change their place of residence.

In the event the Commission determines that an expenditure for moving and relocation expense is necessary to recruit a qualified person and the person does not continue his or her employment with the Commission for a period of two years (unless the discontinuance of employment was the result of death, prolonged illness, disability, unacceptability to the Commission, or similar eventualities beyond the control of the employee as determined by the Commission), he or she shall repay the following percentage of the amount received as reimbursement for travel and moving expenses.

- 100% if employed less than 6 months
- 75% if employed 6 months but less than 12 months
- 50% if employed 12 months but less than 18 months
- 25% if employed 18 months but less than 2 years

EMPLOYMENT OF RELATIVES

Relatives of present employees may be hired by the Commission only if (1) the individuals concerned will not work in a direct supervisory relationship and (2) the employment will not pose difficulties for supervision, security, safety, or morale. "Relatives" are defined as spouses, children, sisters, brothers, mothers, or fathers, and persons related by marriage. Present employees who marry, or who become related by marriage, will be permitted to continue employment with the Commission only if they do not work in a direct supervisory relationship with one another or otherwise pose difficulties for supervision, security, safety, or morale. If employees who marry, or who become related by marriage, do work in a direct supervisory relationship with one another, the Commission will attempt to reassign one of the employees to another position for which he or she is qualified, if such a position is available. If no such position is available, then one of the employees will be required to leave the Commission. The decision as to which employee will leave is left solely to the spouse/employees or in-law/employees. In the event that no alternative position is available and neither employee voluntarily leaves the Commission, the employee with lesser seniority will be terminated.

AIDS AND AIDS-RELATED CONDITIONS IN THE WORKPLACE

The Commission is committed to maintaining a safe and healthy work environment for all employees.

Based on overwhelming medical evidence and scientific opinion, including statements from the U.S. Public Health Service Centers for Disease Control, the AIDS virus is not casually transmitted in ordinary social or occupational settings or conditions. Therefore, subject to changes in available medical information, Commission employees with AIDS or any of its related conditions may continue to work as long as they are able. The Commission will provide AIDS-afflicted employees with reasonable accommodation as long as they are medically able to perform the duties of their position. Co-workers may not refuse to work or withhold their services for fear of contracting AIDS by working with an AIDS-afflicted person, and may not harass or otherwise discriminate against an AIDS-afflicted employee. Employees who engage in this behavior by refusing to work or by harassing or otherwise discriminating against any AIDS-afflicted employee will be subject to discipline, up to and including termination of employment.

The Commission will treat AIDS and related illnesses the same as other illnesses in terms of all our employee policies, benefits, and leaves of absence.

The Commission will treat all medical information obtained from employees with AIDS or any of its related conditions confidentially as required by law.

If employees have any questions about this guideline or its interpretation or the information on which it is based, employees should contact their supervisors or the Executive Director.

PERFORMANCE REVIEWS

Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal day-to-day basis. New employees will receive a formal performance review after 6 months employment. Thereafter, all employees, shall receive performance reviews approximately every twelve (12) months. The Executive Director shall receive a performance review annually by the Board of Directors or by a person, generally the Chairman, appointed by the Board. All performance reviews are conducted to provide both supervisors and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive approaches for meeting employment goals.

Nothing in this section shall require that an employee's salary/wages be adjusted based upon his or her review. While salary/wage adjustments are in part determined by employee performance, the Commission, in its full discretion, may award, or not award, salary/wage adjustments.

EMPLOYEE BENEFITS

The Commission provides benefits for its regular full-time and regular part-time eligible employees. The Commission reserves the right to eliminate or modify any of its benefits at any time.

I. Insurance Benefits

A. Workers' Compensation Insurance

The Commission carries workers' compensation insurance coverage as required by law to protect employees who are injured on the job. This insurance provides medical, surgical, and hospital treatment in addition to payment for loss of earnings that result from work-related injuries. The cost of this coverage is paid completely by the Commission.

Neither the Commission nor the insurance carrier will be liable for the payment of workers' compensation benefits for injuries that occur during an employee's voluntary participation in any recreational, social, or athletic activity sponsored by the Commission during off-duty hours.

B. Medical Insurance

The Commission provides health insurance to staff employees who work thirty (30) hours per week or more. Employees will become eligible for health insurance following their first sixty (60) days on the job and coverage begins on the first day of the following month. Health insurance for the employee is paid 100% by the Commission at the HMO Standard level. Family coverage is available as a payroll deduction.

C. Premium Payments for Employees on Leave

The Commission will pay the premiums for continuation of group insurance benefits for the employee during the first ninety (90) days of any authorized leave. The employee must pay the premiums for continuation of group insurance benefits for his or her dependents during the entire period of any authorized leave. After the first ninety (90) days of any authorized leave, the employee must also pay for his or her own premiums if the employee wishes to remain covered under the group plans.

D. Insurance Coverage Information

Eligibility requirements and further information concerning insurance coverage are fully explained in the insurance policy packet available from the controller.

II. Retirement Program

All full-time and part-time employees are eligible for the Commission pension benefit. The Commission opts out of the regular Social Security deduction and instead contributes 11.7% of an employee's monthly gross to a SEP-IRA account. Once the account is established it is under the complete control of the employee.

III. Summary

This is intended as a summary of the benefits offered by the Commission only. The Commission reserves the right to change or discontinue benefits that are not required by law but will try to provide employees with as much notice as possible if such changes or discontinuance occurs. Additional information may be obtained from the controller.

SOLICITATION DISTRIBUTION

You may engage in solicitation on Commission premises *only* during your non-working time and the non-working time of the person being solicited. Non-working time means time during meals or breaks and before or after work.

You may distribute or circulate non-Commission written materials to other employees *only* during non-working time and *only* in non-work areas. If you are unclear whether an area is a work or non-work area, you should consult your immediate supervisor for clarification.

Solicitation or distribution in any way connected with the sale of any goods or services for profit is strictly prohibited anywhere on the Commission property at any time. Similarly, solicitation or distribution of literature for any purpose by non-employees is strictly prohibited on the Commission's property at any time.

NON-FRATERNIZATION

In order to promote the efficient operation of the Commission and to avoid misunderstandings, complaints of favoritism, other problems of supervision, security, and morale, and possible claims of sexual harassment, managers and supervisors are forbidden to date or pursue romantic or sexual relationships with employees whom they supervise, directly or indirectly. Employees who violate this guideline will be subject to discipline, up to and including termination of employment.

CONFLICTS OF INTEREST

Employees are expected to devote their best efforts and attention to the full-time performance of their jobs and to use good judgment, adhere to high ethical standards, and avoid situations that create an actual or potential conflict between the employee's personal interests and the interests of the Commission. A conflict of interest exists when the employee's loyalties or actions are divided between the Commission's interest and those of another, such as an industry member or supplier. Both the fact and the appearance of a conflict of interest should be avoided. Employees unsure as to whether a certain transaction, activity, or relationship constitutes a conflict of interest should discuss it with their immediate supervisor or the Executive Director for clarification. Any exceptions to this guideline must be approved in writing by the Chairman of the Commission.

This guideline does not attempt to describe all possible conflicts of interest that could develop. Some of the more common conflicts from which employees should refrain, however, include the following:

- A. Accepting personal gifts or entertainment from industry members, suppliers, or potential suppliers;
- B. Using proprietary or confidential Commission information for personal gain, the gain of a particular industry member, or to the Commission's detriment;

- C. Use of Commission equipment, materials, or labor for personal use;
- D. Acquiring any interest in property or assets of any kind for the purpose of selling or leasing it to the Commission; or
- E. Developing a personal relationship with a subordinate employee of the Commission or an industry member that might interfere with the exercise of impartial judgment in decisions affecting the Commission or any employees of the Commission.

If an employee or someone with whom an employee has a close relationship (a family member or close companion) has a financial or employment relationship with a member, alternate, or supplier, the employee must disclose this fact in writing to the Commission. Employees should be aware that if they enter into a personal relationship with a subordinate employee or with a member, alternate, or supplier, or employee thereof, a conflict of interest may exist that requires full disclosure to the Commission.

Employees may hold outside jobs so long as the employee continues to meet the performance standards of their job with the Commission. All employees will be judged by the same performance standards and will be subject to the Commission's scheduling requirements, regardless of outside employment demands.

Failure to adhere to this guideline, including but not limited to failure to meet the Commission performance standards, failure to disclose any conflicts or to seek an exemption, may result in discipline, up to and including termination of employment.

TECHNOLOGY USE AND PRIVACY

The Commission provides various Technology Resources to authorized employees to assist them in performing their job duties for the Commission. Each employee has a responsibility to use the Commission's Technology Resources in a manner that increases productivity, enhances the Commission's public image, and is respectful of other employees. Failure to follow the Commission's policies regarding its Technology Resources may lead to disciplinary measures, up to and including termination of employment. Moreover, the Commission reserves the right to advise appropriate legal authorities of any violation of law by an employee.

I. Technology Resources Definition

Technology Resources consist of all electronic devices, software, and means of electronic communication including, but not limited to, the following: personal computers and workstations; lap-top computers; mini and mainframe computers; computer hardware; peripheral equipment such as printers, scanners, modems, fax machines, copiers, digital cameras, thumb drives, and hands-free devices; computer software applications and associated files and data, including software that grants access to external services, such as the Internet; electronic mail; telephones; cellular phones; pagers; palm pilots; LCD projectors; and voicemail systems.

II. Authorization

Access to the Commission's Technology Resources is within the sole discretion of the Commission. Generally, employees are given access to the Commission's various technologies based on their job functions.

III. Use

The Commission's Technology Resources are to be used by employees primarily for the purpose of conducting the Commission activities. Employees may, however, use the Commission's Technology Resources for the following incidental personal uses so long as such use does not interfere with the employee's duties, is not done for pecuniary gain, does not conflict with the Commission's activities, and does not violate any Commission policy:

1. To send and receive occasional personal communications;
2. To prepare and store incidental personal data (such as personal calendars, personal address lists, and similar incidental personal data) in a reasonable manner;
3. To use the telephone system for brief and necessary personal calls; and
4. To access the Internet for brief personal searches and inquiries during meal times or other breaks, or outside of work hours, provided that employees adhere to all other usage policies.

The Commission assumes no liability for loss, damage, destruction, alteration, disclosure, or misuse of any personal data or communications transmitted over or stored on the Commission's Technology Resources. The Commission accepts no responsibility or liability for the loss or non-delivery of any personal electronic mail or voicemail communications or any personal data stored on any the Commission property. As such, the Commission discourages employees from storing any personal data on any of the Commission's Technology Resources.

IV. Improper Use

A. Prohibition Against Harassing, Discriminatory and Defamatory Use

The Commission is aware that employees use electronic mail for correspondence that is less formal than written memoranda. Employees must take care, however, not to let informality degenerate into improper use. As set forth more fully in the Commission's "Policy Against Harassment," the Commission does not tolerate discrimination or harassment based on race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, veteran status, marital status, sex, age, sexual orientation, gender identity expression or any other basis protected by federal, state, or local law, ordinance, or regulation. Under no circumstances may employees use the Commission's Technology Resources to transmit, receive, or store any information that is discriminatory, harassing, or defamatory in any way (e.g., sexually-explicit or racial messages, jokes, cartoons, etc.).

B. Prohibition Against Violating Copyright Laws

Employees must not use the Commission's Technology Resources to copy, retrieve, forward or send copyrighted materials unless the employee has the author's permission or is accessing a single copy only for the employee's personal use and reference.

C. Other Prohibited Uses

Employees may not use any of the Commission's Technology Resources for any illegal purpose, in violation of any the Commission policy, in a manner contrary to the best interests of the Commission, in any way that discloses confidential or proprietary information of the Commission or third parties, or for personal or pecuniary gain.

V. Commission Access to Technology Resources

All messages sent and received, including personal messages, and all data and information stored on the Commission's electronic-mail system, voicemail system, or computer systems are Commission property regardless of the content. As such, the Commission reserves the right to access all of its Technology Resources including its computers, voicemail, and electronic-mail systems, at any time, in its sole discretion.

A. Privacy

Although the Commission does not wish to examine personal information of its employees, on occasion, the Commission may need to access its Technology Resources including computer files, electronic-mail messages, and voicemail messages. Employees should understand, therefore, that they have **no right of privacy** with respect to any messages or information created or maintained on the Commission's Technology Resources, including personal information or messages. The Commission may, at its discretion, inspect all files or messages on its Technology Resources at any time for any reason. The Commission may also monitor its Technology Resources at any time in order to determine compliance with its policies, for purposes of legal proceedings, to investigate misconduct, to locate information, or for any other purpose.

B. Passwords

Certain of the Commission's Technology Resources can be accessed only by entering a password. Passwords are intended to prevent unauthorized access to information. Passwords do not confer any right of privacy upon any employee of the Commission. Thus, even though employees may maintain passwords for accessing Technology Resources, employees must not expect that any information maintained on Technology Resources, including electronic mail and voicemail messages, are private. Employees are expected to maintain their passwords as confidential. Employees must not share passwords and must not access coworkers' systems without express authorization.

C. Data Collection

The best way to guarantee the privacy of personal information is not to store or transmit it on the Commission's Technology Resources. To ensure that employees understand the extent to which information is collected and stored, below are examples of information currently maintained by the Commission. The Commission may, however, in its sole discretion, and at any time, alter the amount and type of information that it retains.

1. Telephone Use and Voicemail

Records are kept of all calls made from a given telephone extension. Although voicemail may be password protected, an authorized administrator can reset the password and listen to voicemail messages.

2. Electronic Mail

Electronic mail is backed-up and archived. Although electronic mail is password protected, an authorized administrator can reset the password and read electronic mail.

3. Facsimile Use

Copies of all facsimile transmissions sent and received are maintained in hardcopy form.

4. Document Storage

Any document stored on the Commission computers is accessible to the Commission.

5. Internet Use

Internet sites visited, the number of times visited, and the total time connected to each site, may be recorded and periodically monitored.

D. Deleted Information

Deleting or erasing information, documents, or messages maintained on the Commission's Technology Resources is, in most cases, ineffective. All employees should understand that any information kept on the Commission's Technology Resources may be electronically recalled or recreated regardless of whether it may have been "deleted" or "erased" by an employee. Because the Commission periodically backs-up file storage space, files and messages may exist that are thought to have been deleted or erased. Therefore, employees who delete or erase information or messages should not assume that such information or messages are confidential.

VI. The Internet and On-Line Services

The Commission provides authorized employees access to on-line services such as the Internet. The Commission expects that employees will use these services in a responsible way and for company-related purposes and incidental personal use only. Under no circumstances are employees permitted to use the Commission's Technology Resources to access, download, or contribute to the following:

1. gross, indecent, or sexually-oriented materials;
2. job-search sites;

3. gambling sites;
4. games, humor;
5. illegal drug-oriented sites;

Additionally, employees must not sign “guest books” at Web sites or post messages to internet news groups or discussion groups at Web sites. These actions will generate junk electronic mail and may expose the Commission to liability or unwanted attention because of comments that employees may make. The Commission strongly encourages employees who wish to access the Internet for non-work-related activities to get their own personal Internet access accounts.

A. Confidentiality

Some of the information to which the Commission has access is confidential. Employees should avoid sending confidential information over the Internet, except when absolutely necessary. Ask your supervisor if you are unsure whether information is considered confidential or if it should be sent via the Internet. Employees also should verify electronic mail addresses before transmitting any messages.

B. Monitoring

The Commission monitors both the amount of time spent using on-line services and the sites visited by individual employees. The Commission reserves the right to limit such access by any means available to do it, including revoking access altogether.

VII. Software Use

A. License Restrictions

All software in use on the Commission’s Technology Resources is officially licensed software. No software is to be installed or used that has not been duly paid for and licensed appropriately for the use to which it is by any means of transmission, unless authorized in writing in advance by the Commission. Authorization for loading software on the computers should not be given until the software to be loaded has been thoroughly scanned for viruses.

VIII. Confidential Information

The Commission is very sensitive to the issue of protecting the proprietary information of the Commission, its industry members, and third parties (“Confidential Information”). Therefore, employees are expected to use good judgment and to adhere to the highest ethical standards when using or transmitting Confidential Information on the Commission’s Technology Resources.

Confidential Information should not be accessed through the Commission’s Technology Resources in the presence of unauthorized individuals. Similarly, Confidential Information should not be left visible or unattended. Moreover, any Confidential Information transmitted via Technology Resources should be marked with the following confidentiality legend: “This message may contain confidential information. Unless you are the

addressee (or authorized to receive for the addressee), you may not copy, use, or distribute this information. If you have received this message in error, please advise the Commission immediately at (209) 367-4727 and return it to the Commission immediately.”

IX. Security

The Commission has installed a variety of programs and devices to ensure the safety and security of the Commission’s Technology Resources. Any employee found tampering or disabling any of the Commission’s security devices will be subject to discipline up to and including termination.

X. Audits

The Commission may perform auditing activity or monitoring to determine compliance with these policies. Audits of software and data stored on the Commission’s Technology Resources may be conducted without warning at any time.

BLOGGING/SOCIAL NETWORKING POLICY

The Commission sponsors a Blog on which it encourages the exchange of opinions and ideas. However, each employee is responsible for using the Blog in a way that is constructive, protects the Commission’s proprietary and confidential information, and is respectful of other employees and the Commission’s activities. Failure to follow the Commission’s policies on blogging may lead to disciplinary measures, up to and including termination of employment.

I. Authorization

Employees have no free speech right to post content on the Commission’s Blog or any other Commission-sponsored social networking site. Employees should be aware that the Commission’s policies regarding Commission access to Technological Resources and monitoring of online services, as described in the Commission’s Technology Resources guideline in this Manual, apply with equal force to the Blog and any other Commission-sponsored social networking site. Posting on the Blog is a privilege that may be revoked when abused, and the Commission retains the absolute right to delete or modify any content it deems inappropriate in its sole discretion. Further, the Commission has the right to require any employee involved in posting inappropriate content to stop posting immediately. While the Commission reserves the right to remove inappropriate content from the Blog from time to time, it is not obligated to do so, and assumes no liability for failing to take such action. Employees may not read or post on the Blog during work time unless it is part of their job duties.

II. Improper Use

A. Prohibition Against Harassing, Discriminatory and Defamatory Use

The Commission recognizes that blogging and posting to social networking sites is generally a more informal form of written communication. Yet employees are cautioned not to allow informality lapse into rash postings, careless behavior or improper comments; they are expected to blog with respect. Employees may not engage in any postings that

may harm or tarnish the image, reputation and/or goodwill of the Commission or any of its employees or competitors. Postings should always be respectful and constructive and refrain from delving into personal attacks. Employees are expected to abide by the Commission's policy against harassment when blogging. Employees are prohibited from making any discriminatory, disparaging, libelous, defamatory or harassing comments when blogging, or otherwise engaging in any conduct prohibited by the Commission. It thus is a best practice to exercise restraint in terms of exaggeration, colorful language, guesswork, obscenity, legal conclusions and derogatory remarks or characterizations.

B. Prohibition Against Disclosing Proprietary and Confidential Information

The Commission's policies regarding the nondisclosure of proprietary, confidential and personal information applies to online blogging or postings. As such, employees must not post information on the Blog that in any way discloses confidential or proprietary information of the Commission or any third party. The posting of copyrighted materials on the Blog also is not allowed. In addition, employees are prohibited from sharing any information they learn by accessing the Blog with anyone outside of the Commission unless they have been given express written permission to do so by the Commission. Further, employees may not use any information they learn by accessing the Blog for their own benefit or for the benefit of any person or entity other than the Commission.

C. Other Prohibitions

Employees may not use the Blog or other Commission-sponsored social networking sites to promote or solicit participation in any activity that is unrelated to their work at the Commission. [See the Commission's guideline on Solicitation, Distribution, and Bulletin Boards in this Manual.] Employees also may not use the Blog for any illegal purpose, violation of any Commission policy, in a manner contrary to the best interests of the Commission, or for personal or pecuniary gain.

Any inappropriate bloggings and/or postings that violate these guidelines should be reported to Commission management immediately.

III. Non-Commission Blogs/Social Networking

Employees are free to create or participate in non-Commission blogs and other forms of online publishing and discussion/social networking, provided that such participation does not violate Commission policy, is not detrimental to the Commission's best interests and does not interfere with an employee's regular work duties. Employees may not engage in personal blogging/social networking during work time. Employees are personally responsible for their postings and online comments. The Commission will not assume any liability or risk for an employee's blogging or posting online.

When posting in a non-Commission blog or online forum, an employee must make it clear that what is being said is representative of the employee's personal views and does not necessarily reflect the views and opinions of the Commission. In no way may employees represent or suggest that their opinions or positions are endorsed by the Commission or any of its managers or employees. Managers and executives should exercise particular care when posting online to ensure their published personal thoughts are not misunderstood to be expressions of official Commission positions. Managers also should safely assume their direct reports will read their postings, and fully understand that

non-Commission blogs are not appropriate forums for communicating Commission policy to Commission employees.

Even when posting on non-Commission blogs/social networking sites, employees must always be in compliance with the Commission's policies regarding non-disclosure of proprietary, confidential and personal information. Accordingly, employees are prohibited from revealing any proprietary or confidential information, trade secrets, or other information covered by such policy. Employees also must respect copyright and fair use laws when posting and, as a best practice, always credit and/or link to someone else's work when quoting or relying upon it. Additionally, never identify a Commission industry member or affiliate by name, and never discuss an industry member's confidential information online.

Employees are prohibited from using Commission logos or trademarks without the Commission's written permission. Employees likewise may not post any content that is harassing, discriminatory, defamatory, threatening, disparaging, libelous or otherwise illegal or injurious. Moreover, non-Commission blogs must never be used for internal business-related communications between fellow employees.

Non-Commission blog postings may generate media interest or coverage. If a member of the media contacts an employee about a Commission-related posting or online comment published by the employee, or requests Commission information of any kind, inform your supervisor immediately.

Failure to adhere to Commission policies regarding blogging and online postings will be considered grounds for discipline, up to and including dismissal.

Any inappropriate bloggings and/or postings that violate these guidelines should be reported to Commission management immediately.

CELLULAR PHONE POLICY

The Commission prohibits the use of all hand-held cellular devices for work purposes while operating a motor vehicle or for personal purposes while operating a motor vehicle during work hours or on Commission business.

Employees may use hands-free cellular devices while driving when safe to do so. Special care should be taken in situations where there is heavy traffic, inclement weather or the employee is driving in an unfamiliar area. Employees must adhere to all federal, state, and local rules and regulations regarding the use of cellular phones while driving.

Under no circumstances are employees allowed to use text devices to type or review text messages for work purposes while operating a motor vehicle or for personal purposes while operating a motor vehicle during work hours or on Commission business.

TELECOMMUTING

Telecommuting is the practice of working at home or at a site near the home instead of physically traveling to a central workplace. It is a work alternative that the Commission

may offer to some employees when it would benefit both the organization and the employee.

Employee compensation, benefits, work status, work responsibilities, performance standards, and the typical amount of time you generally work per day or per pay period will not change due to telecommuting.

The decision to approve a telecommuting arrangement will be based on factors such as position and job duties, related work skills, and the impact on the organization. Employees' at-home work and project deadlines will conform to a schedule agreed upon by the employee and his/her supervisor.

During working hours, an employee's at-home workspace will be considered an extension of the Commission's workspace. Employees allowed to telecommute agree to maintain safe conditions in the at-home workspace and to practice safety habits. In the case of an injury while working at home, employees must immediately report the injury to their supervisor or to the Executive Director to get instructions for obtaining medical treatment.

Telecommuting is an alternative method of meeting the needs of the organization and is not a universal employee benefit. As such, supervisors have the right to refuse to make telecommuting available to an employee and to terminate a telecommuting arrangement at any time.

INSPECTIONS AND SEARCHES ON COMMISSION PREMISES

The Commission believes that maintaining a workplace that is free of drugs and other harmful materials is vital to the health and safety of its employees and to the success of the Commission's operation. The Commission also intends to protect against the unauthorized removal of the Commission property and to assure its access at all times to the Commission property, records, documents, and files. Accordingly, the Commission has established this guideline concerning inspections and searches on Commission premises. This guideline applies to all employees of the Commission.

I. Definitions

For purposes of this guideline:

A. "Prohibited materials" means firearms or other weapons; explosives and/or hazardous materials or articles; illegal drugs or other controlled substances; drug-related paraphernalia; and/or Commission property that you are not authorized to have in your possession.

B. "Commission property" includes all documents, records, software, electronic codes, data, and files relating to the Commission's business; and all equipment hardware, and other property of any kind, whether owned, leased, rented, or used by the Commission.

C. "Commission premises" includes all premises and locations owned or leased by the Commission or under the control of the Commission, including parking lots, storage areas, and desks.

D. "Reasonable suspicion" includes a suspicion that is based on specific personal observations such as an employee's manner, disposition, muscular movement, appearance, behavior, speech, or breath odor; information provided to management by an employee, by law enforcement officials, by a security service, or by other persons believed to be reliable; or a suspicion that is based on other surrounding circumstances.

E. "Possession" means having the substance or property on one's person or otherwise under one's control.

II. Inspections and Searches

A. Access to Commission Property

1. In order to assure access at all times to Commission property, and because you may not always be available to produce various documents, records, files, or other items of Commission property that are properly in your possession when they are needed in the ordinary conduct of the Commission's business, the Commission reserves the right to conduct a routine inspection or search at any time for Commission property.

2. Routine searches or inspections for Commission property may include your office, desk, file cabinet, closet, computer files or similar places where you may place Commission property or Commission related information, whether or not the places are locked.

3. Because even a routine search for Commission property might result in the discovery of your personal possessions, you are encouraged not to bring into the workplace any item of personal property which you do not want to reveal to the Commission.

B. Inspections and Searches for Prohibited Materials

1. Inspections or searches for prohibited materials on Commission premises will be conducted whenever the Commission has reasonable suspicion to believe that you may be in possession of these materials in violation of this guideline.

2. Inspections or searches for prohibited materials may be conducted by an independent security service or by the Commission with its own personnel.

3. Inspections or searches for prohibited materials may include your office, desk, file cabinet, closet, computer files, or similar places where you may place personal possessions, whether or not these places are locked.

4. The Commission reserves the right to take appropriate action to prevent any employee from removing Commission property without authorization.

C. Disciplinary Action

1. If you are found to be in possession of prohibited materials in violation of this guideline, you may be subject to discipline, up to and including discharge, regardless of the Commission's reason for conducting the search or inspection.

2. If you refuse to cooperate with a search or inspection that is based on reasonable suspicion that you are in possession of prohibited materials, the Commission may take that refusal into consideration in determining appropriate disciplinary action. Discipline will be based on all available information, including the information giving rise to the reasonable suspicion. It is therefore to your advantage to cooperate with the search or inspection whenever prohibited materials are present.

D. Disposition of Prohibited Materials

1. Any prohibited materials (or any materials that are suspected of being prohibited by this guideline) that are found in your possession during an inspection or search will be collected by the Commission and will be placed in a container, sealed, and marked with (1) the date collected, (2) names of persons present, (3) circumstances of discovery, and (4) a general description of the contents placed in the container.

2. You will be given a receipt for any materials that were found in your possession (or that the Commission suspected of being in your possession).

3. If, after further investigation, it is determined that the materials collected were not prohibited by this guideline, the collected materials will be returned to you (except as provided below) and a receipt will be obtained from you. In cases where it is suspected that the collected materials consist of illegal drugs or other controlled substances, the Commission will arrange for disposition in accordance with advice from the Drug Enforcement Administration or other appropriate law enforcement authorities. In cases where the collected materials consist of (or are suspected of consisting of) firearms or other weapons, explosives, or other hazardous materials or articles, the Commission reserves the right to dispose of the materials in whatever manner that it deems to be in the interest of safety to its employees or to return the materials to you at a designated time and location.

DRUG-FREE WORKPLACE

I. Purpose of Guideline

It is the intent of the Commission to maintain a workplace that is free of drugs and to discourage drug and alcohol abuse by its employees. The Commission has a vital interest in maintaining safe and efficient working conditions for its employees. Substance abuse is incompatible with health, safety, efficiency, and success at the Commission. While representing the commission, where it is customary appropriate grape and wine industry practice the moderate, responsible, social consumption of wine or other beverage alcohol is permitted, however employees who are under the influence of a drug or are inebriated on the job compromise the Commission's interests, endanger their own health

and safety and the health and safety of others, and can cause a loss of efficiency, productivity, or a disruptive working environment.

To further its interest in avoiding accidents, to promote and maintain safe and efficient working conditions for its employees, and to protect its property and operations, the Commission has established this guideline concerning the use of alcohol and drugs. As a condition of continued employment with the Commission, you must abide by this guideline.

II. Use of Legal Drugs

The Commission recognizes that it may be necessary for employees to use legal drugs from time to time. The Commission also recognizes that an employee who is using legal drugs might become impaired by the drug such that the employee's ability to perform or to perform safely would be compromised. In order to accommodate employees who might be required to use legal drugs, and to help assure that no serious adverse consequences in the workplace result from drug use, you are required to obtain the Commission's consent under the circumstances listed below.

A. When Consent is Required

If you know or should know that your use of legal drugs might endanger you or someone else, pose a risk of significant damage to the Commission property, or substantially interfere with your job performance, you must report drug use to the Executive Director and obtain the Commission's consent to continue working. The Commission reserves the right to have a Commission physician or your own physician determine whether it is advisable for you to continue working while taking drugs.

B. Duty to Disclose

If you operate or are responsible in any way for the operation, custody, or care of the Commission property, or for the safety of any other person, you have a duty to disclose the nature of your job duties to any prescribing physician and/or to a Commission physician and to ask these physician(s) whether use of the drugs prescribed might result in the dangers, risks, or impairment that this guideline is intended to prevent.

C. Restrictions on Work

The Commission may restrict your work activities while you are using legal drugs or require that you take an unpaid leave of absence while taking drugs.

D. Duty to Refrain from Working if Impaired

If the Commission permits you to work while you are using legal drugs, you cannot report for work in any case if you are *impaired* by the use of the drugs if the impairment might endanger your own safety or the safety of anyone else, pose a risk of significant damage to Commission property, or substantially interfere with your job performance or the efficient operation of the Commission's activities.

III. Prohibited Conduct

A. Scope

The prohibitions of this section apply wherever the interests of the Commission may be adversely affected, including any time you are:

1. On Commission property;
2. Conducting or performing Commission business, regardless of location;
3. Operating or responsible for the operation, custody, or care of Commission equipment or other property; or
4. Responsible for the safety of others.

B. Alcohol

The following acts are prohibited and subject you to discharge:

1. Unauthorized use, possession, purchase, sale, manufacture, distribution, transportation, or dispensation of alcohol; or
2. Being inebriated, over the legal blood alcohol limit, or engaging in behavior that is dangerous or embarrassing to the commission

C. Illegal Drugs

The following acts are prohibited and subject you to discharge:

1. Use, possession, purchase, sale, manufacture, distribution, transportation, or dispensation of any illegal drug or other controlled substance; or
2. Being under the influence of any illegal drug or other controlled substance.

D. Legal Drugs

The following acts are prohibited and subject you to discharge:

1. Abuse of any legal drug;
2. Purchase, sale, manufacture, distribution, transportation, dispensation, or possession of any legal prescription drug in a manner inconsistent with law; or
3. Working while impaired by the use of a legal drug whenever this impairment might:

- (a) Endanger your safety or the safety of any other person;
- (b) Pose a risk of significant damage to Commission property; or
- (c) Substantially interfere with your job performance or the efficient operation of the Commission.

IV. Disciplinary Action

A. Discharge for Violation of Guideline

A first violation of this guideline may result in immediate discharge.

B. Discretion Not to Discharge

The Commission, in the sole discretion of the Executive Director, may choose not to discharge you for a first violation of this guideline if you have successfully completed at least 180 days of employment and are not a casual, seasonal, or temporary employee and if the violation did not:

- 1. Cause an injury to or endanger your safety or the safety of anyone else;
- 2. Result in significant damage to the Commission's property or pose a risk of significant damage; or
- 3. Involve the possession of illegal drugs or other controlled substances.

If you are not discharged for a first violation of this guideline, you will receive a written warning and may receive immediate suspension without pay for a period of ten (10) calendar days.

C. Effect of Second Violation

A second violation of this guideline at any time will result in your immediate discharge.

D. Effect of Criminal Conviction

If you are convicted under a criminal drug statute for a violation occurring in the workplace or during any Commission-related activity or event, you will be deemed to have violated this guideline.

E. Effect of Discharge on Eligibility for Rehire

If you are discharged for a violation of this guideline, you will not be eligible for rehire by the Commission.

V. Drug-Free Awareness

A. Management Awareness

The Executive Director and supervisors should be attentive to the performance and conduct of those who work with them and should not permit an employee to work in an impaired condition or otherwise in violation of this guideline. When management has reasonable suspicion to believe an employee or employees are working in violation of this guideline, prompt action will be taken.

B. Criminal Convictions

You are required by this guideline to notify the Commission of any conviction under a criminal drug statute for a violation occurring in the workplace or during any Commission-related activity or event not later than five days after your conviction.

VI. Unregulated or Authorized Conduct

A. Customary Use of Over-the-Counter Drugs

Nothing in this guideline is intended to prohibit the customary and ordinary use of over-the-counter drugs, so long as this activity does not violate any law or result in you or anyone else being under the influence of drugs in violation of this guideline.

B. Off-the-Job Conduct

Nothing in this guideline is intended to regulate your conduct while off the job, so long as off-the-job use of alcohol or drugs does not result in your being under the influence of or otherwise impaired by the use of alcohol or drugs in violation of this guideline.

VII. Confidentiality

Disclosures you make to the Commission concerning your use of legal drugs or your participation in any drug or alcohol counseling or rehabilitation program will be treated confidentially.

A. Accommodation

If you suspect that you may have an alcohol or drug problem, even in the early stages, you are encouraged voluntarily to seek diagnosis and to follow through with the treatment as prescribed by qualified professionals. If you wish to voluntarily enter and participate in an approved alcohol or drug rehabilitation program, you are encouraged to contact the Executive Director, who will determine at his or her sole discretion, whether the Commission can accommodate you by providing unpaid leave for the time necessary for you to complete participation in the program. You should be aware, however, that participation in a rehabilitation program will not necessarily shield you from the imposition of disciplinary action for a violation of this guideline nor does it guarantee that the Commission will hold your position open for you during your leave.

WORKPLACE VIOLENCE

I. Statement of Policy

The Commission recognizes that workplace violence is a growing concern among employers and employees across the country. The Commission is committed to providing a safe, violence-free workplace and strictly prohibits employees, consultants, industry members, visitors, or anyone else on Commission premises or engaging in a Commission-related activity from behaving in a violent or threatening manner. As part of this policy, the Commission seeks to prevent workplace violence before it begins and reserves the right to deal with behavior that suggests a propensity towards violence even prior to any violent behavior occurring.

II. Workplace Violence Defined

Workplace violence includes:

- A. Threats of any kind;
- B. Threatening, physically aggressive or violent behavior, such as intimidation of or attempts to instill fear in others;
- C. Other behavior that suggests a propensity toward violence, which can include belligerent speech, excessive arguing or swearing, sabotage, or threats of sabotage of Commission property, or a demonstrated pattern of refusal to follow Commission policies and procedures;
- D. Defacing Commission property or causing physical damage to the facilities;
or
- E. With the exception of security personnel, bringing weapons or firearms of any kind on Commission premises, in Commission parking lots, or while conducting Commission business.

III. Reporting

If any employee observes or becomes aware of any of the above-listed actions or behavior by an employee, industry member, consultant, visitor, or anyone else, he or she should notify his or her supervisor or the Executive Director immediately.

Further, employees should notify their supervisor if any restraining order is in effect, or if a potentially violent nonwork-related situation exists that could result in violence in the workplace.

IV. Investigation

All reports of workplace violence will be taken seriously and will be investigated promptly and thoroughly. In appropriate circumstances, the Commission will inform the reporting individual of the results of the investigation. To the extent possible, the Commission will maintain the confidentiality of the reporting employee and of the investigation, but may need to disclose results in appropriate circumstances, for example, in order to protect individual safety. The Commission will not tolerate retaliation against any employee who reports workplace violence.

V. Corrective Action and Discipline

If the Commission determines that workplace violence has occurred, the Commission will take appropriate corrective action and will impose discipline on offending employees. The appropriate discipline will depend on the particular facts but may include written or oral warnings, probation, reassignment of responsibilities, suspension, or termination. If the violent behavior is that of a non-employee, the Commission will take appropriate corrective action in an attempt to ensure that this behavior is not repeated.

TERMINATION, DISCIPLINE AND RULES OF CONDUCT

I. Termination

A. Voluntary Termination

The Commission will consider an employee to have voluntarily terminated his or her employment if an employee does any of the following:

1. Elects to resign from the Commission;
2. Fails to return from an approved leave of absence on the date specified by the Commission; or
3. Fails to report for work without notice to the Commission for three consecutive days.

B. Involuntary Termination

An employee may be terminated involuntarily for reasons that may include, but are not limited to, poor performance, misconduct, or other violations of the Commission's rules of conduct as set forth below. **Notwithstanding this list, the Commission reserves the right to discharge any employee with or without cause and with or without prior notice.**

C. Termination Due to Reorganizations, Economics, or Lack of Work

From time to time, the Commission may need to terminate an employee as a consequence of reorganization, job elimination(s), economic downturns, decreased assessment revenue, or lack of work. Should the Commission consider these terminations necessary, the Commission will attempt to provide all affected employees with advance notice when practical.

II. Discipline and Rules of Conduct

A. Policy

Employees are expected to observe certain standards of job performance and good conduct. When performance or conduct does not meet the Commission standards, the Commission will endeavor when it deems appropriate to provide the employee a

reasonable opportunity to correct the deficiency. If, however, the employee fails to make the correction, he or she will be subject to discipline including termination.

The rules set forth below are intended to provide employees with fair notice of what is expected of them. Necessarily, however, these rules cannot identify every type of unacceptable conduct and performance. Therefore, employees should be aware that conduct not specifically listed below but which adversely affects or is otherwise detrimental to the interest of the Commission, other employees, or members of the Commission, may also result in disciplinary action, including termination.

B. Job Performance

Employees may be disciplined for poor job performance, including, but not limited to the following:

1. Unsatisfactory work quality or quantity;
2. Poor attitude (for example, rudeness or lack of cooperation);
3. Excessive absenteeism, tardiness, or abuse of break and lunch privileges;
4. Failure to follow instruction or Commission procedures; or
5. Failure to follow established safety regulations.

C. Misconduct

Employees may be disciplined for misconduct, including, but not limited to the following:

1. Insubordination;
2. Dishonesty;
3. Theft;
4. Discourtesy;
5. Misusing or destroying Commission property or the property of another on Commission premises;
6. Violating conflict of interest rules;
7. Disclosing or using confidential or proprietary information without authorization;
8. Falsifying or altering Commission records, including the application for employment;
9. Interfering with the work performance of others;

10. Altercations;
11. Harassing, including, but not limited to sexually harassing, employees or others;
12. Being under the influence of, manufacturing, dispensing, distributing, using, or possessing illegal or controlled substances on Commission property or while conducting Commission business;
13. Gambling on Commission premises or while conducting Commission business;
14. Sleeping on the job or leaving the job without authorization;
15. The unauthorized possession of a firearm or other dangerous weapon on Commission property or while conducting Commission business;
16. Being convicted of a crime that indicates unfitness for the job or raises a threat to the safety or well-being of the Commission, its employees, industry members, or property;
17. Failing to report to the Commission, within five days, any conviction under any criminal drug statute for a violation occurring in the workplace; or
18. Violent behavior.

D. Attendance

In addition to the general rules stated above, employees may be disciplined for failing to observe the following specific requirements relating to attendance:

1. Reporting to work on time, observing the time limits for rest and lunch periods, and obtaining approval to leave work early; and
2. Notifying the supervisor in advance of anticipated tardiness or absence.

E. Discipline Procedure

Except as set forth below, discharge for poor performance ordinarily will be preceded by an oral warning and a written warning.

The Commission reserves the right to proceed directly to a written warning, demotion, or to termination for misconduct or performance deficiency, without resort to prior disciplinary steps, when the Commission deems this action appropriate.

III. Exit Interview

Employees who leave the Commission for any reason may be asked to participate in an exit interview. This interview is intended to permit terminating employees the

opportunity to communicate their views regarding their work with the Commission, including job duties, job training, job supervision, and job benefits. At the time of the interview, employees are expected to return all the Commission-furnished property, such as tools, equipment, I.D. cards, keys, credit cards, documents, and handbooks. Arrangements for clearing any outstanding debts with the Commission and for receiving final pay also will be made at this time.

IV. Employment at Will

Nothing in this handbook is intended to alter the at-will status of employment with the Commission. Either you or the Commission may terminate the employment relationship at any time with or without cause and with or without prior notice. The Commission reserves its right to terminate any employment relationship without resort to the above disciplinary procedures.

EXTERNAL COMMUNICATIONS

Occasionally, employees may be contacted by outside sources requesting information about Commission matters, including information regarding current or former employees, industry members, Commission projects, or other workplace issues. In order to avoid providing inaccurate or incomplete information to outside sources, employees contacted by an outside source should immediately refer the contact to the Executive Director without disclosing any information or making any comment.

ACKNOWLEDGMENT OF RECEIPT OF HANDBOOK

Please Read the Employee Handbook. Fill out and return this page to the Executive Director
(or other person assigned this responsibility) Within One Week

Employee Name: _____

I acknowledge that I have received a copy of the Lodi Winegrape Commission's Employee Handbook adopted on October 20, 2016. I understand that I am responsible for reading the Handbook and for knowing and complying with the policies set forth in the Handbook during my employment with the Commission.

I further understand, that the policies contained in the Handbook are guidelines only and are not intended to create any contractual rights or obligations, express or implied, and shall not be construed to create any type of right to a "fair procedure" prior to termination or other disciplinary action. I also understand that the Commission has the right to amend, interpret, modify, or withdraw any of the provisions of the Handbook at any time in its sole discretion, with or without notice. Furthermore, I understand that, because the Commission cannot anticipate every issue that may arise during my employment, I should consult the Commission Executive Director if I have any questions regarding any of the Commission's policies or procedures.

I understand and agree that my relationship with the Commission is "at-will," which means that my employment is for no definite period and may be terminated by me or by the Commission at any time, for any reason, with or without cause or advance notice. I also understand that the Commission may demote or discipline me or otherwise alter the terms of my employment at any time at its discretion, with or without cause or advance notice.

I understand and agree that if I resign or am terminated from my employment with the Commission I will immediately return any Commission-owned property to the Commission office, including but not limited to Commission-owned laptops or other computers, phones, printers, electronic storage devices, and documents. With respect to Commission-owned computers, phones, and storage devices, I agree to return such property to the Commission without removing any data, documents, software, or applications from the device(s).

I understand and agree that the terms of this Acknowledgment may not be modified or superseded except by a written agreement signed by me and the Chairman of the Commission, with approval of the Executive Committee, that no other employee or representative of the Commission has the authority to enter into this agreement, and that any agreement to employ me for any specified period of time or that is otherwise inconsistent with the terms of this Acknowledgment will be unenforceable unless in writing and signed by me and the Chairman of the Commission. If the terms of this Acknowledgment are inconsistent with any policy or practice of the Commission now or in the future, the terms of this Acknowledgment shall control.

Finally, I understand and agree that this Acknowledgment contains a full and complete statement of the agreements and understandings that it recites, that no one has made any promises or commitments to me contrary to the foregoing, and that this Acknowledgment supersedes all previous agreements, whether written or oral, express or implied, relating to the subjects covered in this Acknowledgment.

Date: _____

Signature of Employee

Print Name of Employee

**ACKNOWLEDGMENT OF RECEIPT OF
POLICY AGAINST HARASSMENT**

Please Read the Policy Against Harassment.
Fill Out and Return This Portion to the Executive Director
(or other person assigned this responsibility) Within One Week

I have received a copy of the Lodi Winegrape Commission's Policy Against Harassment contained in the Employee Handbook adopted on October 20, 2016. I have read and understand the Policy Against Harassment, including the procedures for reporting harassment, and I agree to abide by the provisions contained therein.

Date: _____

Signature of Employee

Print Name of Employee

CONFIDENTIALITY AGREEMENT

Fill Out and Return This Portion to the Executive Director
(or other person assigned this responsibility) Within One Week

I acknowledge that as an employee of the Lodi Winegrape Commission, I receive and am privy to confidential and proprietary information belonging to the Commission, including trade secrets, as well as information obtained from suppliers, researchers, and industry members. For purposes of this Agreement, "proprietary information" may include, but is not limited to, production figures, sales figures, inventory positions, comparative ranking in the industry, volume information, quality information, variety information, marketing and merchandising data and strategies, research information, handlers' grower and customer lists, destination information, and inspection results.

I represent, warrant, and agree that I will never disclose, publish, utilize, or furnish, either during or after my term of employment, or any contract or other relationship with the Commission, directly or indirectly, to any other individual, person, employer, firm, agency, company, client, business, commission, or corporation, the proprietary information belonging to or obtained from the Commission and/or obtained directly from suppliers, researchers, industry members, customers, or any other source.

If the Commission prevails in an action at law or in equity to enforce or interpret the terms of this Agreement, I agree to reimburse the Commission for reasonable attorneys' fees and costs, in addition to any other reasonable relief to which the Commission may be entitled. I agree to indemnify and defend the Commission for any loss or damage, including, but not limited to, attorneys' fees and costs, arising out of my breach of this Agreement.

With respect to any suit, action, or other proceeding arising out of or related to this Agreement, I submit to the jurisdiction and venue of the appropriate court in the County of San Joaquin, State of California.

Date: _____

Signature of Employee

Print Name of Employee