

# Staff Handbook



**The J. Paul Getty Trust**

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## Introduction

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

The Getty retains the sole discretion to add to, modify, or rescind any policies, practices, or benefits described in the Staff Handbook, other than the employment at-will policy, at any time. The most current versions of these documents will be posted at [www.gettybenefits.com](http://www.gettybenefits.com) and on the Human Resources website on GO (Getty Online). Whenever you have questions, you are encouraged to discuss them with your supervisor or your Human Resources Specialist.

Although there are references to the Getty's benefits contained in this Staff Handbook, detailed information and related notices may be found at [www.gettybenefits.com](http://www.gettybenefits.com).

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

## Mission and Vision

The J. Paul Getty Trust is a cultural and philanthropic institution dedicated to the presentation, conservation, and interpretation of the world's artistic legacy.

Through the collective and individual work of its constituent programs—the Getty Conservation Institute, the Getty Foundation, the J. Paul Getty Museum, and the Getty Research Institute—the Getty pursues its mission in Los Angeles and throughout the world, serving both the general interested public and a wide range of professional communities in order to promote a vital civil society through an understanding of the visual arts.

## Employment at Will

### At-Will Employment

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

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

# Equal Opportunity and Non-Discrimination

## Equal Employment Opportunity

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

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

It is the policy of the Getty to provide equal employment opportunity to all employees and applicants and to comply with all applicable laws prohibiting unlawful discrimination in employment. This commitment encompasses all aspects of the employer-employee relationship, including recruitment, selection, assignment, promotion, demotion, transfer, layoff and recall, termination, and training. The Getty will not unlawfully discriminate against qualified applicants, employees, or independent contractors on the basis of race, color, national origin, ancestry, sex, sexual orientation, gender, gender identity, gender expression, age, religion, physical disability, mental disability, medical condition, genetic characteristic or information, pregnancy, breastfeeding or related medical condition, marital status, military and veteran status, or any other characteristic protected by state or federal law.

## Policy Against Discriminatory Harassment

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

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

***What is Discriminatory Harassment?*** The Getty prohibits discrimination and harassment on the basis of race, color, national origin, ancestry, sex, sexual orientation, gender, gender identity, gender expression, age, religion, physical disability, mental disability, medical condition, genetic characteristic or information, pregnancy, breastfeeding or related medical condition, marital status, military and veteran status, or any other characteristic protected by state or federal law.

By this policy, the Getty prohibits not only actions that are severe enough to be unlawful, but also conduct that is not severe enough to be unlawful but is inappropriate in our workplace.

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

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

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

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

***Context Matters.*** Some conduct obviously constitutes discriminatory harassment – for example, a threat of termination unless a person submits to a sexual advance, or an office that contains racist signs. But whether other conduct constitutes harassment may depend upon the specific context. In an arts institution like the Getty, the inquiry into what constitutes harassment may be complicated. For example, while images of nudes or similar explicit material might constitute harassment in an ordinary business environment, such material may be appropriately displayed in a museum or other exhibition. While such images may be distasteful, disturbing or offensive to some, their display is not harassment in the context of an exhibition, a lecture, or other work related to the Getty's mission as an arts institution. It is not, on the other hand, appropriate to post nude "pin-ups" from a popular magazine at a work station.

Not all unpleasantness is discriminatory harassment. The Getty demands excellence of its employees and such demands can be difficult and even stressful; that does not make them harassment. Further, while the Getty encourages civility, incidences of incivility, unpleasant

interactions with co-workers or supervisors, or workplace challenges or frustrations not based on a protected characteristic like sex or race are generally not discriminatory harassment. Members of the community who have concerns about aspects of their work environments other than discriminatory harassment are encouraged to discuss these matters with their supervisors.

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

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

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

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

Any Getty supervisor who becomes aware of instances or allegations of discriminatory harassment or retaliation must report it immediately to a Human Resources Specialist, the Associate Human Resources Director or Human Resources Director, or the Vice President and General Counsel.

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

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

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

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

## **Workplace Accommodations for Employees with Disabilities**

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

If you believe that you have a protected disability and require reasonable accommodations, you must submit a request for accommodations to your Human Resources Specialist. You should submit your request as early as possible, recognizing that the necessary interactive process can be time-consuming. The request should normally identify the nature of the limitation(s) that you believe require accommodation, the likely duration, and suggested accommodations. Your supervisor or Human Resources Specialist will meet with you to discuss the request, explain the process, and determine what documentation is necessary to evaluate the request. It is your responsibility to ensure that your health care provider provides the requested documentation. Depending on the circumstances and documentation, the Getty may require supplemental information from your health care provider and/or another expert. Periodic updates from your health care provider may also be required. The Getty cannot always provide the specific accommodation you seek, but will, whenever possible, offer accommodations responsive to your documented limitations.

## **Your Job**

### **Pre-employment Screening**

The Getty is committed to providing a safe, efficient and productive work environment. To achieve this objective all offers of employment are contingent on completion of a background check. The background check includes verification of employment history within the past

seven years, academic records, criminal court records, motor vehicle records/licensing check and if determined to be job-related (as defined by CA Labor Code § 1024.5) a credit history check.

In addition to the background check, for select positions within operations (i.e. Security Officer, Engineering, Logistics), an offer of employment is extended contingent on successful completion of a pre-employment drug and alcohol screening and physical examination.

## **Immigration Law Compliance**

The Getty is committed to full compliance with federal immigration laws. These laws require that all individuals pass an employment verification procedure before they are permitted to work. This procedure has been established by law and requires that every individual provide satisfactory evidence of identity and legal authority to work in the United States no later than three business days after an individual's date of hire. All offers of employment are conditioned on furnishing satisfactory evidence of eligibility to work in the United States within the required time frame.

## **Introductory Period**

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

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

## **Employment Classification**

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

## **Hours of Work**

<b>Full-time</b>	30 – 40 regularly scheduled hours per week
<b>Part-time</b>	Fewer than 30 regularly scheduled hours per week

## **Terms of Employment**

<b>Regular</b>	Hired for an unspecified duration
<b>Limited-Term</b>	Holds job of limited or specified duration, for a period of time greater than 90 days, arising out of special projects, unusual workloads or emergencies
<b>Temporary</b>	Provides on-call or intermittent service, with variable hours for a limited period of time, typically less than 90 days

## **Overtime Eligibility Status (Non-Exempt/Exempt)**

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

## **Salaried Employees**

Employees who are classified as exempt employees are not entitled to overtime compensation. Exempt employees are paid a weekly salary. That salary represents a predetermined amount constituting the employee's compensation for the entire week. The salary is not subject to reduction because of variations in the quality or quantity of the employee's work. Deductions from an exempt employee's salary may occur only when they are authorized under the Fair Labor Standards Act and any applicable state law. Any employee who believes that an improper deduction or violation of the legal standards has occurred should notify their Human Resources Specialist as soon as possible. The issue will be promptly investigated and, if a mistake occurred, corrected. Employees may file complaints without fear of retaliation.

## **Workweek and Schedules**

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

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

**Schedule 1 (Alternative work week):** Employees on this schedule work alternate weeks of five 8-hour days and four 9-hour days. Full-time employees normally work 40 or 36 hours each workweek; each bi-weekly pay period consists of nine workdays and 76 hours. Alternative work week schedules must be predictable and not subject to continual change. Changes in employee schedules (short-term or ongoing) are permissible only if they are infrequent and the employee is given reasonable advance notice.

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

## **Meal and Rest Periods**

Non-exempt employees are entitled to take a meal and rest periods. Non-exempt employees who work more than 5 hours in a shift must take an uninterrupted and unpaid meal period of

at least 30 minutes during which they are relieved of all duties. Meal periods must begin before the end of the employee's fifth hour of work.

Non-exempt employees who work more than 10 hours in a shift must take a second 30-minute meal period during which they are relieved of all duties. The second meal period must begin before the end of the employee's tenth hour of work.

Meal periods must be accurately recorded on the employee's timecard in the Getty's automated timekeeping system, Workforce. Non-exempt employees may not clock in less than 30 minutes after clocking out for a meal period and may never work while off the clock.

Non-exempt employees are also entitled to take at least a 10-minute rest period for each four hours of work or major fraction of four hours during which they are relieved of all duties. Scheduling of rest periods should be arranged with your supervisor and taken as close to the middle of each 4 hour period as possible. Each rest period must be taken separately and may not be taken as an extension to a meal period or at the very end of your shift. Rest periods are not recorded on an employee's timecard.

## **Waiving Meal Periods**

Requests to waive a meal period must be initiated by an employee and approved by the supervisor.

Meal periods may be waived only in the following instances:

- If an employee works no more than six hours in a shift.
- If an employee works more than 10 hours but less than 12 hours in a shift, the second meal period can be waived. The first meal period cannot be waived.

Supervisors may not ask or require an employee to waive a meal period. Contact your Human Resources Specialist for additional information related to waiving meal periods.

## **Personnel Information**

The personnel file is the basic record of your work history with the Getty. It is intended for the sole use of the Getty and is considered confidential. The Human Resources Department maintains your personnel file. Benefits records are maintained in separate files. If any change occurs in your personal status such as marriage, change of address, or change of dependents or beneficiaries, you must update your records via Employee Self Service as soon as possible.

***Access to Personnel Information.*** You have the right to examine or obtain a copy of your personnel file. Contact your Human Resources Specialist in advance for an appointment. You will be asked to complete a *File Review Request* form before you examine your file.

Appointments are normally granted within two working days. You may obtain a copy of material in the file if it contains your signature, but you may not alter, add to, or delete any information in your file.

Access by others to personnel files is granted only for legitimate Getty business or in response to a valid law enforcement inquiry, subpoena or order. Your Human Resources Specialist is responsible for evaluating requests for information and controlling access to the files. Requests by phone for employment verification will be handled by your Human Resources Specialist; written requests and credit/mortgage verification will be handled by the Human Resources Department. Any legal or investigatory request from an outside agency should be referred to the Office of General Counsel.

## Licenses and Certification

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

## Job Posting and Transfer

Eligible employees may apply for transfer to another position within the Getty. Job openings are posted on the [Getty's career portal](#).

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

To apply for a posted job, you must submit an *Employee Transfer Application* via the [career portal](#). Consideration for an interview will be based on an analysis of your qualifications and experience. All employees, including those seeking transfer within their own program/department, must use this procedure to apply for a transfer. You may contact the appropriate Human Resources Specialist for more information about a position that interests you.

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

## Job Performance and Conduct

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

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

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

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

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

## **Disciplinary Action**

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

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

## **Emeritus/a Status for Getty Staff**

In order to honor former Presidents, Program Directors, Curators, and Conservators whose Getty tenure was characterized by singular achievement and commitment, the J. Paul Getty Trust may from time to time designate a former staff member as employee emeritus/a.

The designation of emeritus/a shall be considered a rare and exceptional honor.

In order to obtain emeritus/a status, such employees must be proposed by a Program Director or Vice President, approved by the President and CEO of the Trust, and approved by the Board of Trustees.

Emeritus/a status shall be conferred for a three-year term, renewable at the discretion of the Board of Trustees. Emeritus/a status shall be purely honorary, and shall not be accompanied by any emolument, except to the extent designated by the Board of Trustees.

## **Reduction in Force**

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

# Your Pay

## Compensation Philosophy

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

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

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

## Job Description

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

## Salary Structures

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

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

**Step Structure.** This structure applies to certain hourly jobs, including Security Officers, skilled trade jobs, grounds and others.

The step structures are comprised of incremental pay "steps." Each applicable job is assigned to the appropriate step structure. The number of steps in each structure generally represents the length of time typically required to attain job proficiency.

Employees are assigned to a step within the appropriate structure based on their tenure in that job or their "date in grade." When employees move from one job or job level to the next, their tenure in that new step begins with their new "date in grade."

Generally, employees advance through steps based on length of service and acceptable performance.

## **How You Are Paid**

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

***Timekeeping.*** All employees are required to use the Getty's automated timekeeping system, Workforce, to record time and attendance data. Every employee is responsible for accurately reporting his/her time worked, meal periods, and/or absences during each bi-weekly pay period. Any falsification or misrepresentation of time and attendance information may result in disciplinary action, up to and including termination. Any delay in submitting a complete and accurate report of time worked may result in delays in the processing and receipt of pay.

***Non-Exempt Employees.*** All non-exempt employees must clock in and out at the beginning and end of each scheduled workday and meal period by entering the time on his/her assigned computer or by swiping an authorized Workforce time clock with his/her Getty identification badge. Employees who swipe his/her badge are only authorized to use the time clock installed nearest the department or location where he/she is assigned to work. Supervisors will provide a list of authorized time clocks for employees within his/her department. Employees who use unauthorized time clocks are subject to disciplinary action up to and including termination of employment. Employees who forget to swipe his/her badge on a time clock should notify his/her supervisor immediately.

***Reporting Hours Worked.*** Employees may not accumulate overtime by arriving early or leaving late unless specifically authorized by a supervisor. Employees should not clock in more than 7 minutes before his/her designated start time or clock out more than 7 minutes after his/her designated end time without supervisor approval. Employees must clock in and out as they begin and end each assigned meal period.

Missed or incorrect time entries into Workforce may result in an incorrect paycheck. Payroll may not issue a separate adjustment check in these situations. Repeated missed or incorrect time entries may result in disciplinary action. Using the Workforce system to "swipe in" or "out" or record time for another employee is prohibited and may result in disciplinary action up to and including termination of all employees involved.

***Approving Hours Worked.*** Non-exempt employees must approve their hours worked and any absences (vacation, sick, personal time, etc.) recorded for each pay period. Employees are responsible for any inaccuracy or omission of which the employee is aware at the time the electronic timecard was submitted and approved.

***Exempt Employees.*** Exempt employees are not required to track or report hours worked for performing assigned duties. Exempt employees should only report full day absences (vacation, sick, personal time, etc.) in the Workforce system. Employees are responsible for any inaccuracy or omission of which the employee is aware of at the time the electronic timecard was submitted.

***Supervisors.*** Supervisors are responsible for establishing the time and duration of working hours and schedules for each employee in his/her department and ensuring that proper timekeeping methods are maintained by each employee. This includes regularly reviewing

employee timekeeping records for missing information, appropriate meal periods, and schedule compliance. Supervisors may reject or modify an inaccurate timekeeping record and must discuss the reasons for any changes with the employee.

***Overtime Pay (Non-exempt Employees Only).*** Employees may be required to work overtime to meet the operational requirements of their departments, but should not work any overtime without their supervisor's prior authorization. Non-exempt employees will receive overtime pay in accordance with all applicable laws and will be paid even if their overtime work is unauthorized. However, working unauthorized overtime may result in disciplinary action, up to and including termination. Vacation, holiday, sick, and personal leave time and other exemptions as approved by law are not considered hours worked for the purpose of computing overtime.

Employees on Schedule 1 (Alternative work week) are paid overtime at one and one-half times the employee's regular rate of pay for hours worked in excess of those regularly scheduled (8 or 9 hours per workday, depending on the week). Any time worked on an employee's regularly scheduled day off is paid at one and one-half times the employee's regular rate of pay. Time worked in excess of 12 hours in a workday or in excess of 8 hours on a day in which the employee is not regularly scheduled to work is paid at two times the regular rate of pay.

Employees on Schedule 2 (Traditional work week) are paid overtime at one and one-half times the employee's regular rate of pay for hours worked in excess of 8 hours in a day or 40 in a week. Hours in excess of twelve in one workday are paid at two times the regular rate of pay.

***Payroll Deductions.*** Each employee must complete tax-withholding forms (Federal W-4 and state/local forms where applicable). Federal Income Tax, Social Security Tax (FICA), and state or local mandatory taxes (e.g., State Disability Insurance in California) are deducted each pay period. Other deductions that you authorize, include but are not limited to health insurance premiums, voluntary life insurance, flexible spending account, health savings account or the employee investment program.

Employees can make changes in tax withholding status via Employee Self-Service. Changes cannot be made retroactively.

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

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

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

Shift differentials will be paid based on the time period where the majority of continuous hours are worked. In situations where hours are evenly distributed between two shifts, the determination of shift differential premium will be based on when the employees shift began. There will be no additional shift differential paid for hours that overlap onto a shift with a higher differential. Overtime for employees who are assigned to an eligible shift is paid at the overtime rate plus the shift differential. Pay for vacation, holiday, personal days, sick days, or other special payments does not include the shift differential.

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

Non-exempt employees who are required to travel for work-related purposes during the workday will be paid for such travel time at their regular rate of pay.

If a non-exempt employee is required to travel locally to and from an off-premises worksite directly from his or her home, all time spent for such travel, less the employee's normal commute time, is compensable. Employees are expected to accurately record work-related travel time on their timecard in Workforce. Specific questions related to recording travel time should be directed to payroll or your Human Resources Specialist.

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

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

## **Pay Guidelines for Special Circumstances**

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

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

An employee who is called in to work will be paid for the time actually worked or a minimum of four (4) hours, whichever is greater. For example, an employee is guaranteed four hours' pay at the appropriate overtime rate when called in; if he/she works only one hour, the pay for

the additional three hours is not considered hours worked and therefore is not included in his/her regular rate and is not credited against overtime pay due.

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

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

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

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

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

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

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

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

# Your Benefits

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

Detailed information about some benefit programs can be found in individual Summary Plan Descriptions (SPDs), available at [www.gettybenefits.com](http://www.gettybenefits.com). Hard copies can be obtained from Human Resources. If there is a discrepancy between the handbook or Summary Plan Description and the insurance contracts or plan documents, the contracts or plan documents will govern.

## Employment Status and Benefits Summary

As an employee of the J. Paul Getty Trust, you may be eligible for a variety of benefits that can add significant value to your compensation package. In this case, the term "benefits" applies to time off, health and other insurances, retirement plans, etc. Your eligibility for these benefits is determined by a combination of employment status and the number of hours you are regularly scheduled to work. Please note that information about your benefits contained in this handbook is necessarily general. Detailed information about certain benefit programs can be found in individual Summary Plan Descriptions (SPDs) or at [www.gettybenefits.com](http://www.gettybenefits.com). If there is a discrepancy between the handbook or Summary Plan Description and the insurance contracts or plan documents, the contracts or plan documents will govern.

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

Status*	Hours	Paid Holidays	Vacation Accrual	Sick Accrual	Personal Days	Health Plans	Life	LTD	FSA	EIP	Match Gifts
Regular	30+	Yes	Yes	Yes	Yes	Yes+	Yes	Yes	Yes	Yes	Yes
	20-29	Yes	Yes	Yes	Yes	No	No	No	No	Yes	No
	0-19	No	No	Yes	No	No	No	No	No	Yes	No
Limited Term > 3 mos.	30+	Yes	Yes	Yes	Yes	Yes+	Yes++	No	No	Yes	No
	20-29	Yes	Yes	Yes	Yes	No	No	No	No	Yes	No
	0-19	No	No	Yes	No	No	No	No	No	Yes	No
Temporary	Variable	No	No	Yes	No	No	No	No	No	Yes	No

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

+Part-time employees who are reclassified to full-time status for a temporary or limited period of time are not eligible for health benefits. However, under the Affordable Care Act, you may still be eligible for benefits if you worked an average of 30 hours per week over the course of a measurement period. For more information, see the Health & Welfare Plan Summary Plan Description at [www.gettybenefits.com](http://www.gettybenefits.com).

++Effective 1/1/2018

## Other Benefits

### Educational Assistance

The Getty encourages and supports the continuing education of its employees in order to increase their expertise and their effectiveness. Such study must be through an accredited college or university and must be related to your job and/or your professional development at

the Getty. This policy does not apply to seminars and workshops, private training programs, long-term training in residence, or in-house training. Those types of programs can be approved as business expenses at the discretion of the Director.

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

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

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

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

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

Once your Educational Assistance application is completed and approved by your department head/program administrator, send the application and supporting documentation to the Payroll Department. Your initial payment (for 50% of reimbursable fees) will be added to your next paycheck. To receive the remaining reimbursement, send documentation confirming satisfactory completion of the course to payroll and the final payments will be added to your next paycheck.

"Satisfactory completion" of the course means a grade of "C" or better, or a passing grade in a Pass/Fail course. Audited classes require signed verification of your attendance in at least 90% of the sessions held.

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

## **Getty Transportation Program**

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

## **Telework Program**

### **Purpose**

Teleworking, the practice of working at home for a limited number of days instead of working in a Getty office, is a work alternative that the Getty offers to some employees when it is advantageous to both the Getty and the employee. Teleworking is a work place strategy that helps employees balance the demands of their work and personal lives and reduces the average time spent commuting which, in turn, helps reduce emissions and extend the life of a vehicle. Teleworking is a workplace strategy and privilege, and not an employee entitlement.

An employee's compensation, benefits, work status, and work responsibilities will not change as a result of teleworking. Teleworking employees must comply with all organizational rules, policies and procedures and continue to meet all expectations of their position.

### **Eligibility**

Candidates for teleworking include full-time employees who have completed a minimum of 12 months of continuous service with a history of satisfactory job performance and who are California residents and reside within a reasonable distance of the Getty. Part-time and temporary employees are not eligible for teleworking. The opportunity to telework must be approved by an employee's supervisor who, in concert with Human Resources, is ultimately responsible for decisions to continue or discontinue teleworking by the employee.

The decision to approve employees to telework shall be based on specific, written, work-related criteria including, but not limited to:

- Employee responsibilities
- Need for, and nature of, interaction with other staff and external clients
- Need for use of specialized equipment
- Availability of other qualified employees on site
- Employee job performance

An employee who is considered for teleworking must be able to work independently, be a self-starter, and demonstrate skills managing time in a productive manner. An employee must be in good standing with no record of performance or conduct issues and their most recent performance review must reflect an acceptable level of performance. The resources that an employee needs to do his/her job must be easily transportable or available electronically.

The decision to allow an employee to telework must be approved by the employee's supervisor and Human Resources.

Eligibility and suitability of employees to participate in teleworking will vary among departments and programs, depending on the function and responsibilities of the employee and the willingness of a supervisor to participate in the program. Each department/program must maintain some minimum complement of employees who work on site at the Getty offices, on a regular basis, in order to function effectively.

Teleworking is not an alternative to child or elder care and the teleworker must make appropriate arrangements for dependent care. Further, teleworkers should not schedule home maintenance visits such as plumbers, electricians, etc. during working hours, if they will distract the teleworker from his or her work.

Teleworking may also be approved for employees who would like to work from home from time to time but not on a regularly scheduled basis. These teleworkers must complete the same application, receive approval from their supervisor and HR to participate in the program. Once the teleworker is approved to telework, s/he must receive approval in writing or by email from the supervisor prior to each occasion of working from home.

### **Schedules and Hours**

Non-Exempt teleworkers are required to follow Getty policies related to work schedules, meal periods and rest breaks. A regular teleworking schedule, including specific days and hours, must be established by the teleworker and approved by his/her supervisor – deviations from the agreed upon schedule must be approved in advance by the supervisor. Non-exempt teleworkers on the alternative work week (schedule 1) must follow the work schedule in place at the time teleworking begins or alternatively adhere to the guidelines related to schedule changes. The amount of time the teleworker is expected to work per day or per pay period will not change due to participation in the teleworking program.

Supervisors retain the right to require a teleworker to return to the Getty's offices on a regularly scheduled teleworking day should work situations warrant such an action. The Getty will not reimburse for mileage if the employee is required to come in to the Getty to work.

Teleworkers are required to account for all time worked in accordance with the Getty's timekeeping policies. Non-exempt teleworkers may perform overtime work only after receiving prior written approval from their supervisor. Failure to comply with this requirement may result in disciplinary action and/or removal from the teleworking program.

### **Workspace**

Teleworkers must have an appropriate work area in their home that considers ergonomics, safety, equipment, adequate workspace, noise, and interruption factors. The work area should provide adequate lighting, telephone service, power and temperature control.

The Getty's liability for job-related accidents will continue to exist during the approved work schedule and in the teleworker's designated work location, if the accident occurs as a result of **or** during the course and scope of work performed by the teleworker for the Getty. If a work-related, at-home injury occurs, the teleworker must notify his/her supervisor and Getty Risk Management immediately.

Homeowner's/renter's insurance and any changes in rates or coverage are the responsibility of the employee. Any increase in the teleworker's home utility costs is the responsibility of the employee. Employees are encouraged to consult with a qualified tax professional to discuss potential income tax implications of maintaining a home office.

The Federal and state statutory notices posted at the Getty's offices are considered proper notification for all employees.

### **Equipment and Supplies**

Teleworkers are responsible for providing adequate internet connections and phone service to do their work from home. In most cases teleworkers will provide their own equipment. Teleworkers may use Getty-owned equipment at their off-site workspace with the prior approval of their supervisor provided that the equipment will be used for Getty work only.

Office supplies will be provided by the Getty and should be obtained during the teleworker's in-office work period. Out-of-pocket expenses for supplies normally available in the office will not be reimbursed. Teleworkers are responsible for all supplies, equipment, and/or materials provided by the J. Paul Getty Trust. All items remain property of the Getty and may not be used for personal or other than Getty use.

The Getty will not reimburse teleworkers for costs related to setting up internet or phone service nor will the Getty reimburse monthly charges for either internet or phone service. Other business-related expenses that are reasonably incurred in accordance with job responsibilities and approved by the supervisor in accordance with the Getty's regular policies may be reimbursed by the Getty. Appropriate documentation is required if such expenses are submitted for reimbursement.

The Getty does not assume liability for loss, damage or wear of employee owned equipment or property. Maintenance, repair and replacement of Getty Trust-owned equipment issued to teleworkers is the responsibility of the Getty. In the event of equipment damage or malfunction, the teleworker must notify his/her supervisor immediately.

Teleworkers may use their own equipment (e.g., computer, fax machine, printer, photocopier) provided that no cost is incurred by the Getty. Repair and maintenance of employee-owned equipment is the responsibility of the teleworker.

### **Employee Access and Availability**

Teleworkers must be available by telephone or email during scheduled work hours, with the exception of their scheduled rest breaks and meal period. Supervisors may establish that employees are required to check for messages within a certain period (e.g. at least once every two hours).

### **Security**

It is the responsibility of the teleworker to take all precautions necessary to secure Getty property and information and to prevent unauthorized access. The teleworker is required to observe all office security practices when working outside the Getty's offices to ensure the integrity and confidentiality of Getty information. Steps to ensure the protection of proprietary information include, but are not limited to, use of locked file cabinets, and desks; regular password maintenance; and any other steps appropriate for the job and the environment. Home computers used for Getty work must be password protected.

## **Application Process**

Employees wishing to telework are required to complete a teleworker application/agreement. The employee will complete a Teleworker Request and provide information concerning job responsibilities, proposed teleworking schedule, types of work tasks and activities to be performed at the off-site work space, and description of the off-site work space and the equipment required.

Teleworking arrangements may be discontinued at any time, at the request of either the teleworker or the Getty.

## **Discounts on Merchandise and Food**

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

## **Attendance at Getty-Sponsored Events**

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

## **Matching Employee Gifts Program**

The Matching Employee Gifts Program is designed to further the Getty's charitable mission by supporting employees' personal gifts to qualifying charities. Through the Employee Matching Gifts Program, the Getty will match one dollar for each dollar of an eligible employee contribution to an eligible charity up to \$2,500 per year. The Matching Gifts Policy and Employee Matching Gifts Forms, are available on the Getty GO Foundation Home page, found under "Programs & Departments/Foundation/Employee Matching Gift Program." Full-time, regular employees who are employed at the time the donation is made are eligible to participate in the program.

The Getty Foundation administers this program. For information about eligible charities and procedures for obtaining matching gifts, see the Getty GO Foundation Home page. You may also obtain an *Employee Matching Gifts Form* from Grants Administration in the Getty Foundation.

## **Credit Union and Bank Discounts**

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

## Employee Activities/Fitness Center

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

The Getty Fitness Center, located on level L3 of the restaurant/café building, is open to all regular and limited-term employees of the Getty who are regularly scheduled to work 20 or more hours per week. The facility includes locker rooms, a general exercise area, a group exercise classroom, a stretching area, and administrative offices. The main exercise area is equipped with a full circuit of muscle strengthening/toning machines, a complete line of cardiovascular equipment, and free weights. The Fitness Center is managed by an outside management company and is staffed by trained fitness professionals who provide instruction, testing, and supervision of the facility. The staff will be happy to enroll you or answer any questions you might have.

## Time Off

### Paid Holidays

The Getty designates certain days as paid holidays. Only dates identified on the "Holiday Schedules," are holidays for purposes of pay. The holiday schedules are available on GO or from your Human Resources Specialist.

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

**Eligibility.** Regular and limited-term employees who are regularly scheduled to work at least 20 hours per week are eligible for holiday pay. Other employees are not eligible. If you are regularly scheduled to work between 20 and 29 hours per week and a holiday falls on your regularly scheduled day off, you are not eligible for holiday pay.

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

- If a paid holiday falls on a day on which you are regularly scheduled to work, you will be paid the number of regular hours you would have been scheduled to work on that day.
- If a paid holiday falls on your regularly scheduled day off, and you are a full-time employee, you will either be assigned a different day off with pay during the same work week or paid holiday pay at straight time. If you work fewer than 76 hours per pay period, your holiday pay will be prorated.
- In order to receive holiday pay, the last regularly scheduled workday before the holiday and the first regularly scheduled workday after the holiday must be paid. If any portion of these two workdays is unpaid, the employee is not eligible for holiday pay.

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

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

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

***Paid Holidays During Absence.*** If a holiday is observed during your approved vacation, that day will be recorded as paid holiday hours and not deducted from your vacation pay balance.

Employees on an unpaid leave of absence are not eligible for holiday pay for holidays that are observed during the period they are on a leave of absence.

## **Vacation**

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

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

***Accrual.*** Your vacation hours begin to accrue with your first day of employment and are determined by your employment classification, length of service, and regular hours worked as detailed below. Once you have earned the maximum hours of vacation for your schedule (e.g. 228 hours for 76 hour schedule or 240 hours for 80 hour schedule), you will stop accruing hours until you have used some of your vacation time. At that point, you will begin to accrue vacation hours again. You will only receive pay for unused accrued vacation hours that are available prior to the start of the pay period in which vacation time is used. You may not use vacation in advance of accrual unless the request is approved in writing by Human Resources prior to the start of the scheduled vacation.

When you are on an approved leave of absence, you will stop accruing vacation time after your last day worked. Your benefits begin to accrue again when you return to work. Employees on an intermittent leave of absence do not accrue additional vacation time on the days absent as part of the intermittent leave of absence.

***Exempt Staff*** are eligible for 152 hours of paid vacation each year, accrued at a rate of 5.846 hours per pay period. Your accrual rate is prorated if you are scheduled to work fewer than 76 hours per pay period.

***Non-exempt Staff*** who work 36 to 40 hours per week accrue vacation according to the schedule in the following table.

	76 Hours Schedule (Alternative work week)		80 Hours Schedule (Traditional work week)	
Years of Service	Accrual Rate per Regular Hour Worked **	Maximum Hours of Vacation Earned in One Year	Accrual Rate per Regular Hour Worked **	Maximum Hours of Vacation Earned in One Year
Up to 5 years	.038553 hours	76.18	.038462 hours	80.02
At completion of 5 years but fewer than 10 years	.057763 hours*	114.15	.057692 hours*	120
At completion of 10 years	.076923 hours*	152	.076923 hours*	160.07

\* Rate of accrual changes on the first pay period of the 6th and 11th years.

\*\*Regular hours worked includes sick & sick-dependent pay, vacation pay, personal time, jury duty, holiday pay, AQMD pay and bereavement pay.

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

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

Check with your supervisor regarding specific procedures and requirements for your department.

With supervisor approval, non-exempt employees may take vacation in ¼ hour increments. Exempt employees must take vacation in full-day increments only.

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

## Personal Days

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

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

**Accrual.** Your personal time begins to accrue with your first day of employment and is determined by your employment classification, length of service, and regular hours worked per pay period as outlined in the chart below. Once you have earned the maximum hours of personal time for your schedule (e.g. 17 hours for a 76 hour schedule or 16 hours for an 80 hour schedule), you will stop accruing hours until you have used some of your personal time. You will only receive pay for unused accrued personal hours that are available prior to the start of the pay period in which personal time is used.

When you are on an approved leave of absence, you will stop accruing personal time after your last day worked. Your benefits begin to accrue again when you return to work. Employees on an intermittent leave of absence do not accrue additional personal time on the days absent as part of the intermittent leave of absence.

	Accrual Rate per Regular Hour Worked**	Maximum Hours of Personal Time
76 Hours Schedule (Alternative work week)	.008603 hours	17
80 Hours Schedule (Traditional work week)	.007692 hours	16

\*\*Regular hours worked includes sick & sick-dependent pay, vacation pay, personal time, jury duty, holiday pay, AQMD pay and bereavement pay.

**Pay for Personal Days.** Personal Day pay is based on your regular rate of pay. It does not include overtime, shift differential, or any other special payments, nor is it considered time worked for purposes of computing overtime. Employees who have accrued personal hours are required to use those hours as appropriate and cannot elect to take time off as unpaid. Unused personal hours are paid at termination but may not be used to extend the date of termination. Your last day of work may not be a personal day.

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

With supervisor approval, non-exempt employees may take personal days in ¼ hour increments. Exempt employees must take personal days in full-day increments only.

## Sick Pay

The Getty provides paid time off for the diagnosis, care or treatment of an existing health condition of, or preventive care for, the employee or a family member. "Family member" for purposes of this policy includes spouses, domestic partners, children, parents, grandparents, grandchildren, siblings, and individuals related by blood or affinity whose close association with the employee is the equivalent of a family relationship. Sick pay under this policy may

also be used for employees who are the victims of domestic violence, sexual assault or stalking.

**Eligibility and Accrual.** Employees are eligible to accrue sick pay according to the following schedule:

Status	Hours	Accrual Rate per Regular Hour Worked**	Maximum Hours of Sick Time	Reinstatement Hours Cap
Regular (76 Hours Schedule)	20+	.057763 hours	988	72
	0-19	.033334 hours	72	72
Regular (80 Hours Schedule)	20+	.057750 hours	1040	72
	0-19	.033334 hours	72	72
Limited Term > 6 mo. (76 Hours Schedule)	20+	.057763 hours	988	72
	0-19	.033334 hours	72	72
Limited Term > 6 mo. (80 Hours Schedule)	20+	.057750 hours	1040	72
	0-19	.033334 hours	72	72
Limited Term < 6 mo. (76 & 80 Hours Schedules)	20+	.033334 hours	72	72
	0-19	.033334 hours	72	72
Temporary	Variable	.033334 hours	72	72

\*\*Regular hours worked includes sick & sick-dependent pay, vacation pay, personal time, jury duty, holiday pay, AQMD pay and bereavement pay.

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

Employees accrue hours of sick time per pay period up to a maximum number of hours based on regular hours worked per pay period as shown in the chart above. If you accrue the maximum number of hours, you stop accruing sick time until your accrual balance falls below the maximum. You will only receive pay for unused accrued sick hours that are available prior to the start of the pay period in which sick time is used.

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

Employees who are rehired within 1 year from the date of separation, are eligible to have their previously accrued and unused sick hours reinstated up to a maximum of 72 hours.

**Use of Sick Pay.** For non-exempt employees, any medically related absence of 1/4 hour or more will be charged against sick time. Exempt employees generally are charged for sick time in full-day increments. Unused sick pay may not extend the date of termination. You may use the equivalent of your *annual* accrued sick leave per year to care for an eligible family member as defined under this policy.

**Notification of Absence.** You must notify your supervisor directly of any absence as soon as possible and before the start of the scheduled workday. Some departments may have more

specific notification requirements. This applies to each day of absence unless the Getty has approved an extended absence in advance.

***Medical Certification.*** You may be required to furnish a medical certification of illness or injury or other related evidence acceptable to the Getty. The Getty reserves the right to question such certification and to require additional proof of illness or injury when appropriate. Failure to provide satisfactory medical certification when requested may jeopardize your leave status and thus lead to termination of your employment. You may also be required to furnish an attending physician's statement authorizing your return to work after an illness or injury. If there are restrictions on your return to work, your physician must provide specific information regarding the nature and duration of those restrictions before you return to work so that the Getty can evaluate whether it can provide the requested or alternative accommodations.

### **Long-Term Disability Plan**

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

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

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

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

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

Leaves of absence and related compensation programs are described briefly in the following pages. For more information or for leave request or medical certification forms, contact your Human Resources Specialist.

## Family and Medical Leave

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

Note: References to "equivalent of 12 work weeks" will be calculated based on the employee's documented regular work schedule immediately preceding the leave or renewal. *E.g. if an employee is working a regular bi-weekly schedule of 76 hours, the "12 weeks" is interpreted to be a total of 456 hours; if the employee is working a regular work schedule of 25 hours per week, the "12 weeks" is interpreted to be 300 hours.* Questions concerning the length of available leave should be directed to your Human Resources Specialist.

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

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

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

***Eligibility.*** To qualify for FMLA leave, you must: (1) have been employed by the Getty for at least 12 months and; (2) have worked at least 1,250 hours (about 25 hours a week) during the 12 months immediately preceding when the leave begins or at the end of 12 months, if for the same health condition. When both married parents are employed by the Getty and are eligible for FMLA/CFRA leave, the leave will be limited to a combined total of the equivalent of 12 weeks, based on the employee's regular work schedule, during any 12-month period when taken for the birth of a child, the placement of a child for adoption or foster care, or the illness of a child. The leave will be limited to a combined total of the equivalent of 26 weeks, based on the employee's regular work schedule, when the leave is taken to care for a covered injured or ill service member.

***Definition of Serious Health Condition.*** "Serious health condition" means an illness, injury, impairment, or physical or mental condition that involves: any period of incapacity or treatment connected with inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility; or a period of incapacity requiring absence of more than **three**

**calendar days** from work, school, or other regular daily activities that also involves continuing treatment by (or under the supervision of) a health care provider; or any period of incapacity due to pregnancy, or for prenatal care; or any period of incapacity (or treatment therefore) due to a chronic serious health condition (e.g., asthma, diabetes, epilepsy, etc.); or a period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective (e.g., Alzheimer's, stroke, terminal diseases, etc.); or, any absences to receive multiple treatments (including any period of recovery therefrom) by, or on referral by, a health care provider for a condition that likely would result in incapacity of more than three consecutive days if left untreated (e.g., chemotherapy, physical therapy, dialysis, etc.).

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

See ["Procedures for All Personal, Medical and Family-Related Leaves"](#) and ["Pay and Benefits"](#) below.

## **Pregnancy-Related Disability Leave**

An employee who is unable to work because of pregnancy, childbirth, or related medical conditions will be granted, upon approval, up to four months (17 1/3 weeks) of unpaid leave, as needed, for the period(s) of time she is actually disabled by pregnancy, childbirth, or related medical conditions. Leave time is prorated for employees who work fewer than 76 hours per pay period.

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

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

***Duration of Pregnancy-Related Disability Leave.*** An eligible employee may take up to four months (17 1/3 weeks) of unpaid leave for pregnancy-related disability in connection with any one pregnancy. Pregnancy-Related Disability Leave does not need to be taken in one continuous period of time, but can be taken intermittently on an as-needed basis. Unless otherwise required by law, intermittent leaves will be counted in increments of one-quarter hour or more, and pay will be adjusted accordingly.

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

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

Employees who are not eligible for FMLA/CFRA leave are limited to a maximum of four months (17 1/3 weeks) for their pregnancy-related disability and are not entitled to leave for newborn care under this policy.

See ["Procedures for All Personal, Medical and Family-Related Leaves"](#) and ["Pay and Benefits"](#) below.

## **Lactation Room**

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

A designated lactation room has been established to provide a comfortable and private location to express breast milk. Contact your Human Resources Specialist for additional information.

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

## **Non-FMLA Medical Leave**

A non-FMLA medical leave may be approved for an employee who is unable to work due to his/her own serious health condition (non-pregnancy related) or to care for an eligible sick-dependent with a serious health condition when other medical leaves do not apply or for which the employee is ineligible. Eligible sick-dependent for purposes of this policy includes the employee's spouse/eligible domestic partner, child, or parent.

Regular and limited-term employees who are regularly scheduled to work at least 30 hours per week are eligible to apply for a non-FMLA medical leave of absence. Temporary employees are not eligible. An eligible employee may be granted an unpaid non-FMLA medical leave of up to the equivalent of 12 work weeks.

See ["Procedures for All Personal, Medical and Family-Related Leaves"](#) and ["Pay and Benefits"](#) below.

## **Supplemental Leave**

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

See ["Procedures for All Personal, Medical and Family-Related Leaves"](#) and ["Pay and Benefits."](#)

## **Personal Leave**

A personal leave is an absence of more than five days for a reason not covered by the above leaves of absence and is reserved for exigent circumstances. The granting of a personal leave is not guaranteed and is subject to advance approval by your supervisor and Human Resources. Requests for such leaves will be evaluated on the basis of a variety of factors as well as operational considerations including but not limited to the purpose for which the leave is requested, the employee's performance, position, responsibility level and the expected impact of the leave on the department/program. Regular employees who are regularly scheduled to work at least 30 hours per week are eligible to apply for a personal leave of absence. Temporary and limited-term employees are not eligible for personal leave. An eligible employee may be granted a personal leave up to the equivalent of 12 work weeks.

See ["Procedures for All Personal, Medical and Family-Related Leaves"](#) and ["Pay and Benefits."](#)

## **Inactive Status**

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

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

Inactive status is unpaid. During inactive status employee's accrued and unused sick, vacation and/or personal hours will be maintained and made available when he or she returns to work. If an employee who has been placed on inactive status does not return to work at the Getty, within 90 days of being placed on inactive status, he or she will be separated from employment and paid for any accrued and unused vacation and/or personal hours upon separation of employment.

An inactive employee who wishes to return to work at the Getty, within 90 days of being placed on inactive status, must advise Human Resources and provide a "fitness-for-duty" report from a physician at least one week prior to his or her proposed return to work. If the employee's position is still available and the employee is qualified to perform it, the employee will normally be returned to that position. If the employee's position is no longer available, the employee may apply for any other available position for which he or she is qualified.

See ["Procedures for All Personal, Medical and Family-Related Leaves"](#) and ["Pay and Benefits."](#)

## **Procedures for All Personal, Medical and Family-Related Leaves**

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

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

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

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

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

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

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

Contact your Human Resources Specialist for more information.

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

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

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

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

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

Please see ["Workplace Accommodations for Employees with Disabilities."](#)

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

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

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

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

***Paid Holidays.*** Employees on an unpaid leave of absence are not eligible for holiday pay for holidays that are observed during the period they are on a leave of absence.

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

***Flexible Spending Account and Employee Investment Program.*** FSA and EIP deductions continue as long as you receive a paycheck from the Getty. If you are on an unpaid leave, your participation in these plans will be affected. For information, contact Human Resources Benefits by e-mail at [Benefits@getty.edu](mailto:Benefits@getty.edu) or call extension 6523.

### **State Disability Insurance (SDI) *(revised 2/1/18)***

If you must take time off because you have a non-work-related illness or injury, you may be eligible for State Disability Insurance (SDI) payments from the State Disability Insurance Program (<http://www.edd.ca.gov/disability>). SDI benefits provide partial wage replacement during periods of absence but do not provide the right to any leave in addition to that for which you are otherwise eligible. An individual's SDI benefit is calculated by the Employment Development Department. It is the employee's responsibility to apply for SDI benefits.

SDI benefits are subject to a one-week (7 calendar days) waiting period. Employees who have provided necessary medical certification must use accrued sick leave (or vacation time) before receiving SDI benefits.

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

You may obtain SDI forms from your Human Resources Specialist or you may apply for SDI online at [http://www.edd.ca.gov/Disability/SDI\\_Online.htm](http://www.edd.ca.gov/Disability/SDI_Online.htm)

### **Paid Family Leave Benefits *(revised 2/1/18)***

If you take time off (a) to care for a seriously ill child, spouse/eligible domestic partner, sibling, grandparent, grandchild or parent, or (b) to bond with a new child due to birth, adoption or foster care placement, you may be eligible for up to six weeks of paid family leave benefits (PFL) from the State Disability Insurance Program. PFL benefits provide partial wage replacement during periods of absence but do *not* provide the right to any leave in addition to that for which you are otherwise eligible. It is the employee's responsibility to apply for PFL benefits.

Whenever an employee requests a leave to care for a seriously ill child, spouse/eligible domestic partner, or parent, or to bond with a new child due to birth, adoption or foster care placement, the Getty will assume that the employee is applying for PFL benefits and will supplement them with the appropriate accrued time. If you are eligible for PFL benefits but fail to apply, you will receive only the pay from the Getty for the benefits that you would have received if you had collected PFL benefits.

You may obtain PFL forms from your Human Resources Specialist or you may apply online at [http://www.edd.ca.gov/Disability/SDI\\_Online.htm](http://www.edd.ca.gov/Disability/SDI_Online.htm).

## Workers' Compensation

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

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

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

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

## Military Leave

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

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

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

**Request for a Military Leave.** You are expected to give timely notice of all regularly scheduled training and other military obligations. To apply for a military leave, obtain a *Leave of Absence Request* form from your Human Resources Specialist or at [www.gettybenefits.com](http://www.gettybenefits.com). Complete the form and attach a copy of your military orders, if available, or a written confirmation of your military service commitment from your commanding officer. If neither is available, you should provide an appropriate military telephone contact so that the leave dates can be officially verified.

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

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

30 days after you submit a copy of your military pay voucher. After that, you will be placed on unpaid military leave.

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

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

## **Leave for Families of Those Serving in the Military**

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

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

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

## **Volunteer Emergency Duty**

Employees who perform duty as a volunteer firefighter, reserve peace officer or emergency rescue personnel may be eligible for unpaid time off to perform emergency duties and up to 14 days per calendar year of unpaid time off to participate in related training. Employees who serve as volunteer members of the California Wing of the Civil Air Patrol may be eligible for up to 10 days of unpaid leave to respond to an emergency operational mission. You are expected to give timely notice of all regularly scheduled training and as much notice as reasonable possible of other emergency response obligations.

## **Jury and Witness Duty**

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

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

**Witness Duty Eligibility and Pay.** Employees who are summoned to serve as a witness, but not as the party, in a court action will be granted up to 15 days off to attend such

proceedings. Affected employees may apply available vacation or personal leave to such absences. If accrued time is not available the absence is unpaid.

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

## **Alcohol and Drug Rehabilitation Leave**

The Getty wishes to assist employees who recognize that they have a problem with alcohol or drugs that may interfere with their ability to perform their job in a satisfactory manner. Employees who have a problem with alcohol or drugs and who decide to enroll voluntarily in a rehabilitation program will be given unpaid time off to participate in the program unless it would result in an undue hardship to provide the time off. If an employee requests time off to participate in such a program, the Getty will also make reasonable efforts to keep the fact that the employee enrolled in the program confidential.

Alcohol and drug rehabilitation leaves are subject to the same rules and provisions related to pay and benefits as outlined for medical leave of absence.

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

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

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

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

## **Organ and Bone Marrow Donation Leave**

An eligible employee may request a paid leave of absence of up to 30 days in a one-year period to donate an organ to another person or up to five days in a one-year period to donate bone marrow. The one-year period is 12 consecutive months measured from the date the employee's leave begins.

**Eligibility.** All employees who have been employed by the Getty for at least 90 days immediately preceding the beginning of the leave are eligible.

**Pay and Benefits.** You will be required to use up to five days of accrued sick, vacation or personal time for leave under this policy to donate bone marrow and up to two weeks of accrued time for leave to donate an organ.

If eligible, you will continue to accrue vacation, personal and sick time during your leave. Group insurance benefits continue while on an approved leave. Employee contributions toward this coverage continue to be deducted from gross pay.

To request time off under this policy, you must complete the request for a leave of absence form and provide written certification that you are a bone marrow or organ donor and that the procedure is medically necessary. Leave taken to donate an organ or bone marrow does not run concurrently with leave under the FMLA or the CFRA.

### **Time Off for Voting**

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

### **Election Day Poll Worker Leave**

Full-time and part-time regular employees may receive paid time off to serve as an official poll worker on Election Day. You must give reasonable notice of your intention to serve as a poll worker and obtain your Supervisor's advance approval. Pay will be based on regularly scheduled hours and you may be required to furnish satisfactory proof of your service.

### **Bereavement Leave**

If a relative dies, you may request time off with pay for up to five days. Temporary employees may be granted unpaid time off in these instances. You may be asked to provide verification for your request. A relative is defined as a current spouse/eligible domestic partner, parent, child, brother, sister, grandparents, grandchildren, current mother-in-law or current father-in-law.

### **Sabbatical Leave Policy**

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

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

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

time to time grant a sabbatical leave to an individual for a specialized project or course of study.

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

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

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

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

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

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

An individual who wishes to apply for a sabbatical leave must submit an application to his or her supervisor according to the time period set by their program. Once approved by the supervisor, the program administrative department and the director will review the application. After approval by program administration and the director, the request will be reviewed by Human Resources for consistency and compliance with Getty policy. Finally, the President reviews and may approve the application based on the merits of the request.

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

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

- a statement of the objectives of the sabbatical, a detailed description of the proposed research or sabbatical project to be undertaken, and a discussion of how it relates to the development needs of the applicant and how it will enrich the Getty and the fields the Getty serves.

- an explanation of the total time requested for the sabbatical and the time increments, if applicable.
- a detailed outline of expenses, if reimbursement is being requested.
- a statement of the probable impact on the employee's area of responsibility.

***Pay and Benefits.*** During a sabbatical leave, an employee normally receives full salary and group insurance benefits, but does not accrue additional sick, vacation or personal leave. An employee on sabbatical leave during the annual salary increase program is not eligible to receive a salary increase until he/she returns from the leave.

## **Community Service Mission and Request for Leave**

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

An eligible employee may request a leave to work full-time at a non-profit institution. The institution may be of any size and must be engaged in charitable activities. Up to three fully paid leaves per year may be awarded Getty-wide for a period of up to three months each. All full-time regular employees in good standing are eligible to apply. Employees on a community service leave of absence do not accrue additional vacation, personal, or sick time. These benefits begin to accrue again when you return to work. Contact your Human Resources Specialist for details and an application.

## **Family/School Time Off**

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

Any employee of the Getty who is a parent or guardian of a child suspended from school is entitled to take time off if the school has asked the parent or guardian to appear at the school after the child was suspended. You must give reasonable advance notice of the absence to your supervisor. Employees who have accrued vacation or personal hours are required to use those hours as appropriate otherwise the time off is unpaid.

## **Literacy Education**

The Getty wishes to assist employees who require time off to attend an adult literacy education program. Any employee who needs time off to attend such a program should notify their supervisor or Human Resources Specialist. The Getty will attempt to make reasonable accommodations for you by providing unpaid time off unless it would cause an undue hardship to do so.

# Workplace Policies

## Attendance and Punctuality

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

Requirements for attendance and advance notification of absences or lateness may vary based on the operational needs of your department.

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

## Employee Work Apparel/Appearance

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

## Conflict Resolution Policy

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

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

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

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

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

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

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

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

## **Law, Ethics and Professional Conduct**

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

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

## **Code of Ethics**

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

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

***Loyalty.*** Loyalty to the Getty's mission is essential to all who work at the Getty, whether volunteer or paid. The duty of loyalty must never be compromised. No individual may use a position at the Getty for personal gain or to benefit another at the expense of the

Getty, its mission or its reputation. The Getty has Trustee and staff policies on conflicts of interest, and related procedures for addressing actual, potential, or perceived conflicts. All members of the Getty community are expected to comply with applicable conflict of interest policies.

***Governance.*** The affairs of the Getty are conducted by, or under the oversight of, the Board of Trustees. The Trustees hold the staff accountable for maintaining the highest standards of practices and participate in decision-making processes with respect to them, including the development and regular review of collection, program and financial policies.

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

Thus the Trust strives to ensure that its collections:

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

The Trust further strives to:

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

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

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

***Implementation and Orientation.*** New Trustees and staff members are provided with copies of policies relating to ethics and standards of practice and are asked to review these materials as part of their orientation. Trustees and senior employees file annual disclosures of potential conflicts; the Audit Committee of the Board of Trustees receives an annual report regarding any circumstances that might give rise to an appearance, or question, concerning a conflict of interest.

## **Workplace Complaints**

### ***Procedure for Handling Complaints and Concerns about Financial Matters***

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

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

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

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

### ***Procedure for Handling Other Complaints and Concerns***

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

In addition, The Getty has contracted with an independent organization to provide employees with a confidential telephone and online reporting system for reporting workplace concerns. Additional information regarding this service can be found on the [Ethics Point](#) page on [GO](#).

## **Outside Board Service Policy**

Under certain circumstances, as described below, Getty staff may serve on outside boards (compensated or uncompensated). Outside board service may not compromise or interfere

with the staff member's job duties, create a perceived or actual conflict of interest, or adversely affect the Getty's name or reputation.

Prior to agreeing to join a board, staff members must complete and have his or her supervisor approve a Request to Serve on Outside Board form located at [http://www.getty.edu/about/governance/pdfs/outside\\_board\\_req.pdf](http://www.getty.edu/about/governance/pdfs/outside_board_req.pdf). The supervisor must forward to the Office of General Counsel a copy of the approved form.

Staff members wishing to serve on an outside board on Getty time, on Getty premises, or using Getty funds, resources or materials, must first submit a completed Request to Serve on Outside Board form located at [http://www.getty.edu/about/governance/pdfs/outside\\_board\\_req.pdf](http://www.getty.edu/about/governance/pdfs/outside_board_req.pdf) to his or her supervisor *and* to the Trust Officer or Program Director up to whom he or she reports, ***requesting that both approve the Board service as "Getty-supported."***

When determining whether board service is "Getty-supported," supervisors, Trust Officers and Program Directors should follow the following guidelines:

1. The outside organization must be a tax exempt organization or its foreign equivalent;
2. The outside organization's purposes should be consistent with the Getty's mission, or will enhance the employee's ability to serve the Getty;
3. The outside board service should complement the employee's job duties;
4. The outside board service will not compromise or interfere with the employee's regular work for the Getty; and
5. The employee should seek from the outside organization available reimbursement for any travel or other business expenses incurred from his or her board service. If the outside organization does not fully cover travel and/or other business expenses incurred, the Getty may reimburse the additional expenses in accordance with the Getty's business expense policies. The employee is responsible for seeking reimbursement from the outside organization and for disclosing the outside reimbursement in an attachment to any Getty expense report associated with the board service.

Any supervisor, Trust Officer or Program Director approving a request for board service must be prepared to justify such approval to the President and the General Counsel. For-profit board service requires the prior approval of the Trust President, and shall not be deemed "Getty-supported." All for-profit and "Getty-supported" board service must be disclosed annually and is subject to review by the Audit Committee of the Board of Trustees.

No Getty approval is necessary for service on boards of community activities such as religious organizations, schools, scouting, sports teams, community service clubs or homeowner associations, provided that such service does not compromise or interfere with the staff member's job duties, does not create a perceived or actual conflict of interest, and does not adversely affect the Getty's name or reputation. Such service may not be done on Getty time, on Getty premises, or using the Getty's resources or materials. Any questions about whether a particular board is excluded from this policy or if service on a certain board creates a perceived or actual conflict of interest should be discussed with the Office of General Counsel.

## **Conflict of Interest Policy**

The Trustees and employees of The J. Paul Getty Trust (the "Trust") are expected to adhere to high ethical standards of conduct in the performance of their duties, observing all laws and regulations governing business transactions, competing fairly with others and using Trust funds only for legitimate and ethical purposes. The rights of Trustees and employees in their activities outside their duties or employment which are private in nature and which in no way conflict with or reflect upon the Trust will be respected. Although Trustees and employees have been carefully selected and are assumed to possess integrity and judgment, to avoid any misunderstanding, the following statements of policy are made with respect to proper conduct:

### ***Possible Conflicts Of Interest***

Trustees and employees must avoid incurring any kind of financial interest or personal obligation which might affect (or appear to affect) their judgment in dealings on behalf of the Trust with firms or individuals. Each person must examine his or her own activities and those of his or her family to be sure that no condition exists which could create or appear to create a self-dealing situation in respect of transactions of the Trust.

There are certain areas with which each individual must be especially concerned. In order to avoid any question about a possible conflict of interest, even though it may not exist in actuality, the particular situation shall be disclosed in writing and submitted to the President or his designee or to the Chairman of the Board of Trustees for evaluation. Areas giving rise to conflicts of interest include the following:

- Holding a material financial interest, directly or indirectly (as an owner, substantial stockholder, partner, joint venturer, creditor or guarantor), or having a management or policy-making role (such as being a director) in a firm which provides services or supplies materials or equipment to the Trust, or in an organization which is in competition with the Trust, or in an organization to which the Trust provides services or makes loans or works of art.
- Speculating, investing or dealing in equipment, supplies, materials or works of art which the Trust purchases, has purchased or contemplates purchasing.
- Owning money to or borrowing money from any supplier or dealer or from an individual or firm (except a bank or business entity as an ordinary consumer in amounts which are reasonable under such circumstances) with whom the Trust does business of any kind.
- Accepting gifts or favors for himself or herself or for family members, or entertainment or other personal benefits, which are substantial, from an outside organization or individual with whom the Trust does or may do business. This does not apply to acceptance of casual gifts of a nominal value (\$100 or less), nor routine and reasonable business entertainment (but not paid travel expenses, such as airfare and hotel), but care must be exercised to be sure that continuation of such matters does not gradually create or appear to create an obligation. Gifts of more than \$100 should be returned to the donor with the explanation that the Trust's policy will not permit the acceptance of

such gifts. The Trust will reimburse Trustees and employees for expenses incurred in returning such gifts.

- Disclosing to others outside the Trust or using for his or her own benefit information not generally available to the public which the Trustee or employee has access to by reason of his or her position, such as confidential information of a technical, financial or business nature or other "inside information."
- Serving another organization in any capacity whether such service includes activities, compensated or not, which can affect or appear to affect an individual's ability to discharge his or her duties to the Trust.
- Acquisition and maintenance of a personal collection is not disapproved by the Trust, provided that no Trustee or employee competes with the Trust in any such personal activities. The Trust will from time to time promulgate general policies concerning the fields in which it intends to collect and such policies will be communicated on a confidential basis to Trustees and employees to the end that any competition will be avoided.

It is not intended that this statement apply to bona fide gifts from family or close personal friends, whether by life-time transfers or by bequest or otherwise; nor is it intended that this statement have retroactive effect. However, as from the date of adoption by the Trust of this conflict of interest policy, each Trustee and employee shall report in writing from time to time their respective art work holdings acquired since that date. In the event a work is acquired in contravention of this policy, the Trust shall have the right to purchase such work at its acquisition price within twelve (12) months from the date of receipt of the written report referred to in the previous sentence.

### ***Possible Improper or Illegal Conduct***

Trustees and employees are not expected to be familiar with every law and regulation relating to this statement or affecting Trust operations. When in doubt, however, it is incumbent upon each Trustee and employee to consult with the President or his designee or the Chairman of the Board of Trustees.

- Each person must avoid improper acts and the violation of any governmental law or regulation in the course of performing his work.
- To provide guidance in specific areas, we call your attention to the following matters:
  - No Trust funds or assets shall be used for any improper or unlawful purpose, including:
    - Payment, or offer of payment, of anything of value to any foreign or domestic official, foreign or domestic political party, etc., for the purpose of exerting influence in obtaining or retaining favorable treatment.
    - Obtaining privileges, concessions or special benefits by paying or offering to pay bribes or kickbacks to any entity or individual. This

- includes gifts or entertainment to a supplier or dealer of a kind which Trustees and employees could not accept under this policy statement.
- Using Trust funds, property or resources to support any political party or candidate. A Trustee's or employee's political activity must, therefore, take place on his or her own time and at his or her own expense and away from Trust premises.
  - No Trustee and no employee, in the course of his or her employment, shall accept or receive any payment or other thing of value (whether characterized as kickback, bribe, rebate, refund or otherwise, and whether intended by the payor to be for the Trust or for the personal benefit of the Trustee or employee) if the payment or receipt or tender thereof is illegal or is designed or intended to cause such Trustee or employee to grant a privilege, concession or benefit to the payor in connection with Trust business.

### ***Implementation - Reporting***

In order to implement the foregoing policies, the Board of Trustees will develop disclosure statements for completion by Trustees and employees on an annual basis. It is nevertheless each person's responsibility to report, in writing, on a current basis, any new developments as to matters included in this policy statement or in the disclosure statements.

All disclosure statements and reports shall be maintained in confidence and access to such materials shall be limited to the President, the Trustees, Trust Counsel and such other persons who have a reasonable need to know the contents thereof or whose duties involve custody of such materials.

This policy statement, of necessity, concerns some matters which require evaluation, judgment, analysis of the law or discretionary action. Therefore, the Board of Trustees shall be responsible for resolving any disputes, making any interpretations and promulgating any advisory opinions in respect of all matters arising hereunder. The decisions of the Trustees shall be final. The Board of Trustees shall have the right to authorize deviations from this policy if, in their discretion, such deviations seem advisable and in the best interests of the Trust.

### **Copyright and Patent Policy**

The Getty complies with the United States copyright and patent laws. Work performed by Getty employees within the scope of their duties is considered work made for hire and is the intellectual property of the Getty. You may, depending on the nature of the work, be asked to complete documents verifying that it is the property of your employer.

### **Employment of Relatives**

The Getty bases employment decisions solely on individual merit and job-related criteria, and will employ relatives of current Getty employees as long as employment does not present a source of potential or actual conflict of interest, either to the Getty or to the individuals involved. Each situation is examined carefully and decisions are made on a case-by-case basis except that relatives may not be employed within the same line of supervision. "Relative" is

defined as a parent or stepparent, in-law, spouse/eligible domestic partner, child, brother, sister, grandparent, or any person living in your household.

## **Employee Dating/Romantic Relationships**

In order to minimize the risks of conflicts of interest, avoid perceptions of favoritism, and promote fairness, managers and supervisors are prohibited from having a romantic or dating relationship with a subordinate employee within his/her line of supervision, or whose terms or conditions of employment he/she may influence, or with other employees when the relationship may create an actual conflict of interest or the appearance of a conflict of interest.

## **Outside Employment**

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

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

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

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

## **Confidential Information**

Safeguarding the confidential nature of information about the Getty's financial, procedural, security, and other management policies, acquisitions, transactions, and employees is essential. Should you have any questions regarding the confidentiality of Getty information, you should ask your supervisor for clarification. If you receive a request for information about the Getty from outside sources such as the media or a public relations official, you should

promptly refer it to the Getty Communications Department. Your confidentiality obligations to the Getty continue after termination of your employment.

## **Solicitation/Distribution**

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

## **Identification Badges and Keys**

The Getty issues employee photograph identification badges to all staff. Badges should be worn visibly at all times while on the premises. You are expected to take your badge home at the end of the workday, and you are responsible for safeguarding your badge and keeping it in your possession. If you forget to bring your badge to work, there are temporary badges available at security desks. If a badge is lost or damaged, it should be reported immediately to the [Security Department](#) and a replacement will be issued. Note: A fee will be charged for a replacement badge.

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

You may be issued keys to an office or other work area. It is important to safeguard the keys. They may not be copied, loaned or transferred to anyone else. Some keys are required to be stored on site in designated SKD security key cabinets.

## **Parking**

Staff who regularly work at the Getty Center or Getty Villa are required to have a valid parking hangtag to park on site. Parking hangtags should be requested through the individual program administrative offices. Limited-term staff will be issued a temporary parking permit. Temporary parking placards are issued for up to six months and should be displayed on your rear view mirror.

In order to maximize the number of parking spaces available for visitors, the Security Department will designate which areas within the parking structures are available for staff parking. These guidelines are subject to change based on operational requirements. Current staff parking guidelines are posted on the Security Department's webpage on GO.

The sale, transfer, or loan of a parking hangtag is strictly forbidden and can result in disciplinary action up to and including termination. When you terminate employment with the Getty, you must return your parking hangtag to your supervisor, Human Resources or to the Security Department.

The Getty utilizes an automated visitor parking revenue system. Staff are prohibited from using an ID badge to open a lift gate for anyone other than themselves.

## **Mobile Devices**

Employees in some areas are required to carry a cell phone and respond to emergency calls while off duty. Your supervisor will provide you with specific instructions for the purchase and/or care of equipment.

If an employee has a personal cell phone and uses it for business calls or texting at the direction of a supervisor, any costs that are above the cost of the employee's existing service plan are eligible for reimbursement.

## **Personal Use of Getty Resources and Staff**

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

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

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

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

## **Access to Electronic Data**

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

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

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

## **Policy Governing Use of Social Media by J. Paul Getty Trust Employees**

The Getty recognizes and supports social media to share knowledge and connect directly with visitors and audiences.

If the Getty's social media activities are part of your job responsibilities, you should be aware of and comply with the Getty's Social Media Editorial Standards and Policies; they can be found on Getty GO under Communications > Social Media. The Editorial Standards and Policies may be updated and modified from time to time. If you have questions about these Standards and Policies, please check with your supervisor or the Communications Department.

All Getty staff may participate in personal social media activities subject to the following guidelines:

The Getty, a private operating foundation, is subject to certain restrictions on political and commercial speech including opinions about legislative issues. As a result, you may neither state nor imply that you are speaking on behalf of the Getty in your social media communications, or you may state explicitly that the opinions expressed are your own and not the Getty's.

## **Records Management and Institutional Archives Policy**

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

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

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

# Working Safely

## Safety

It is the responsibility of all employees to take all necessary precautions to protect themselves, others, and Getty property. Employees are required to follow all safety rules, signs, and instructions, and to report all accidents and safety hazards or potential hazards to appropriate authorities. No employee is expected to undertake any job if an unsafe condition or hazard is present or if the employee does not have a good understanding of the potential hazards of a job. Employees who operate vehicles or other safety-sensitive equipment are required to be drug and alcohol free. Additionally, using cell phones or electronic devices in any capacity including but not limited to sending, receiving, preparing or reading text messages is strictly prohibited while driving Getty vehicles or other safety-sensitive equipment. Employees who fail to comply with all safety policies and procedures are subject to disciplinary action, up to and including termination.

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

## Drug and Alcohol Policy

Misuse of drugs or alcohol impairs employee health and productivity. Drug and alcohol problems can result in unsafe working conditions for all employees and visitors. The Getty is committed to maintaining a productive, safe, and healthy work environment, free of unauthorized drug, alcohol and marijuana use.

Employees shall not use illegal substances or use legal substances in a manner that impairs work performance or threatens health, safety, security or property. "Legal substances" include but are not limited to alcohol and prescribed or over-the-counter drugs legally obtained by the employee and used for the purpose for which they were prescribed and sold. Employees may not use, possess, transfer, distribute, or sell marijuana or any illegal drug while on duty (whether or not on Getty property) or while operating a vehicle owned or leased by the Getty.

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

Employees who must maintain a Commercial Driver's License (Class B License) as part of their employment with the Getty are subject to alcohol and controlled substance testing as outlined in the Federal Motor Carrier Safety Regulations, CFR 49, Part 382. Testing may be performed under the following circumstances pre-employment, post-accident, random, reasonable suspicion and return to duty.

If any driver refuses to test under the circumstances outlined in CFR 49, Part 382, the refusal will be treated as a positive result, and will be subject to the consequences of a positive test as outlined in the previously referenced regulation. A positive test result under this program may also result in disciplinary action up to and including termination of employment.

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

## **Smoking/Vaping**

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

Smoking/vaping is restricted to the following designated locations. (Each location is marked with a sign indicating that it is the authorized location):

### Getty Center

- T2 arrival plaza (North West corner)
- Getty Museum Courtyard (South East area)
- East Lawn area outside of Central Security Station (CSS)

### Getty Villa

- Elm tree island area south of the central parking structure
- Business parking area at south end of central planter

Questions about the smoking/vaping policy should be referred to the Security Department.

## **Security and Inspections**

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

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

## **Workplace Violence**

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

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

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

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

## Leaving the Getty

### Separation Policy

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

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

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

A separating employee is given the final paycheck on the day of separation; however, those employees who resign without notice are paid within 72 hours of notice of resignation. The final paycheck includes payment for all hours worked, paid absences during the current pay period, and accrued, unused vacation and personal days. Unused AQMD days are not paid out upon separation. Any advanced wages and paid vacation hours taken in advance of accrual, which are considered wage advances, will be reconciled from the final paycheck. You are required to return all keys, badges, parking passes, equipment, and other Getty property before you pick up your final paycheck.

### Rehire Policy

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

You will not carry over any unused vacation, personal or AQMD days from prior employment at the Getty. Individuals who are rehired within one year from the date of separation are eligible to have their previously accrued and unused sick hours reinstated up to a maximum of 72 hours. If eligible, your health and welfare benefits will be effective as of your rehire date. Consult the Employee Investment Program Summary Plan Description (SPD) for information about how a break in service affects your participation in this plan.

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

## Definitions

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

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

***Immediate Family:*** spouse, same sex domestic partner, registered domestic partner, children, parents.

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

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

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