
Butte County
Resource Conservation District
(BCRCD)

POLICY HANDBOOK

Section II: Personnel

Adopted: _____

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I. Personnel (2000)

- a. POLICY TITLE: Executive Officer**
POLICY NUMBER: 2000

2000.1 The District Manager shall be the Executive Officer of the Butte County Resource Conservation District and for the Board of Directors.

2000.2 The terms and conditions of the District Manager's employment shall be specified in the agreement of employment established between the District Manager and the Board of Directors. The agreement of employment shall be for the period of time as specified therein.

2000.3 Whenever the agreement of employment established between the District Manager and the Board of Directors is in conflict with any District policy, said agreement of employment shall prevail.

- b. POLICY TITLE: Employee Status**
POLICY NUMBER: 2003

2003.1 A "Regular" employee is one who has been hired to fill a regular position in any job classification and has completed his/her probationary period.

2003.2 A "Probationary" employee is one who has been hired to fill a regular position in any job classification and has less than 12 continuous months of service with the District. Upon completion of 12 months of continuous service with the District in said classification, and upon the District Manager's, or in the case of the District Manager, the Board of Directors, decision to retain said employee, said employee shall be granted regular employee status.

2003.2.1 A probationary employee will receive not less than the minimum rate for the job and will be eligible for sick leave pay, holiday pay, vacation pay, insurance coverage or items of a similar nature, as he/she becomes eligible. A probationary employee will not be eligible for a leave of absence.

2003.3 A "Temporary" employee is one who is hired to work within any job classification, but whose position is not regular in nature. The duration of the work assignment of a temporary employee may range from one day to a maximum of **6-months** of continuous service.

2003.3.1 Employees hired to replace a regular employee who is on a leave of absence shall be hired as temporary employees unless said leave of absence is in excess of 180 days.

2003.3.2 A temporary employee will receive not less than the minimum rate for the job, but will not be eligible for sick leave pay, holiday pay, vacation pay, insurance coverage or items of a similar nature, nor will he/she accrue seniority or leave of absence rights.

2003.3.3 If a temporary employee is reclassified to probationary or regular status, he/she will be credited with all continuous service in determining eligibility for such benefits that may accrue to him/her in his/her new status.

2003.4 A "Part-time" employee is one who is hired to work within any job classification, but whose position is not regular in nature. The part-time employee works whenever the District's workload increases to a level that regular employees cannot accommodate it. He/she also works standby as discussed in Policy #2010, "Hours of Work and Overtime."

c. POLICY TITLE: Continuity of Service
POLICY NUMBER: 2006

2006.1 For probationary and regular employees in all classifications, length of continuous service with the District will be used as the basis for determining benefits such as sick leave and vacation time. Length of continuous service will also be one of the considerations in promotions, demotions and layoffs.

2006.2 Continuous service with the District will start with the date of employment and continue until one of the following occurs:

2006.2.1 An employee is discharged for cause;

2006.2.2 An employee voluntarily terminates his/her employment; or,

2006.2.3 An employee is laid off.

2006.3 Continuity of an employee's service will not be broken by absence for the following reasons, and his/her length of service will accrue for the period of such absence:

2006.3.1 Absence by reason of industrial disability;

2006.3.2 Authorized absence without pay for less than 30 days in a calendar year; or,

2006.3.3 Absences governed by applicable state and/or federal laws such as military or National Guard service.

2006.4 A re-employment list shall be maintained by the District. The re-employment list shall be used to determine the order in which part-time and temporary employees shall be employed when other than regular work is available and additional employees are needed. The list shall be arranged on the basis of seniority. An individual is considered to have seniority if his/her length-of-service, as defined above, is greater than that of another individual on the list. An individual on the re-employment list shall be rehired to fill a vacant position within a specific job classification if:

2006.4.1 He/she was previously employed within said job classification or within a job classification requiring higher qualifications, and/or satisfies the qualifications as specified in the job description for said vacant position; and,

2006.4.2 He/she has seniority, as defined above.

2006.5 When an individual on the re-employment list is called to work and is unavailable to work, the next person on the list having seniority and satisfying the conditions listed in Section 2006.4, above, shall be called. If an individual is called to work three times without being available to work, his/her name may be removed from the re-employment list. An individual shall be removed from the re-employment list when he/she notifies the District that he/she has taken a regular position elsewhere and is unavailable to work for the District.

2006.6 Regular employees who are laid off will be placed on the re-employment list and shall receive seniority based on previously earned length-of-service.

2006.7 Previous regular employees who were laid off and called back for work not being regular in nature will have their employment service records maintained so that they accumulate length-of-service as they work on an "hour-for-hour" basis.

2006.8 Part-time and temporary employees who are hired for a position having regular status will have previously earned length-of-service maintained in their employment service records.

2006.9 Previous temporary employees who are rehired within 18 months of their last date of employment shall have their employment service records restored to include previously earned length-of-service.

d. POLICY TITLE: Performance Evaluation - District Manager
POLICY NUMBER: 2009

2009.1 The District Manager of the District is retained and serves at the will of the Board of Directors. The Board of Directors shall review the performance of the District Manager after the initial six months of service after appointment and then annually thereafter, using a process that provides for discussion and encourages feedback in the development of goals and the performance evaluation.

2009.2 The performance evaluations should occur in closed session annually during the first Board of Directors meeting of the month in which the evaluation is due, or on another date mutually acceptable to the Board of Directors and the District Manager. The **Administrative Assistant** shall maintain a notification system that tracks the date when the evaluation is due to ensure the Board agenda is properly noticed and to provide adequate advance notice to the Board and the District Manager.

2009.3 The Board of Directors will agree upon an evaluation form to be provided to the Board and completed prior to the formal performance review session. Board of Directors shall be encouraged to prepare input on the form prior to the Board of Directors meeting.

2009.4 During the scheduled closed session(s), the Board should meet as a group with the District Manager to verbally discuss the components of the performance evaluation and received feedback from the District Manager relative to his/her assessment. If requested by the Board and/or the District Manager, the District's Legal Counsel may attend the evaluation session.

Following the meeting with the District Manager, the Board shall meet and determine an overall evaluation of the District Manager's performance for the past review period and provide written notification to the District Manager of the assessment and any recommended compensation adjustment, as appropriate. A copy of this written assessment should be provided to the District Manager and a copy kept in the District Manager's personnel file. The performance evaluation shall be kept confidential. Any decision on a compensation award shall be made at a public meeting following the closed session evaluation meeting.

2009.5 The Board of Directors and District Manager should jointly develop mutually agreed upon written goals and objectives for the subsequent evaluation period.

e. POLICY TITLE: Performance Evaluation
POLICY NUMBER: 2010

2010.1 This policy shall apply to all employees.

2010.2 The District Manager or his/her designated representative shall conduct a scheduled performance review of each employee prior to the merit advancement date. If the employee's immediate supervisor is not the evaluator, he/she shall be consulted during the preparation of the evaluation.

2010.3 Performance evaluations shall be in writing on forms prescribed by the District Manager. Said evaluation shall provide recognition for effective performance and also identify areas that need improvement. In addition to providing scaled scores in each performance and characteristic category, the evaluator will also provide a narrative explanation of the reason for each score.

2010.4 The performance evaluation shall be signed by the evaluator and shall be discussed with the employee. The employee will be provided an opportunity to prepare a written response to the evaluation that will be attached to the evaluation for inclusion in his/her personnel file.

2010.5 Unscheduled performance evaluations may be made at the discretion of the District Manager or his/her designated representative.

f. POLICY TITLE: Customer Relations
POLICY NUMBER: 2016

2016.1 Employees are expected to be polite, courteous, prompt, and attentive to every customer. Never regard a customer's question or concern as an interruption or an annoyance. All employees must make every effort to achieve complete, accurate, and timely communications - responding promptly and courteously to all proper requests for information and to all complaints.

2016.2 Never place a telephone caller on hold for an extended period. Direct incoming calls to the appropriate person and make sure the call is received. Through your conduct, show your desire to assist the customer in obtaining the help he or she needs. If you are unable to help a person requesting assistance, find someone who can.

2016.3 All correspondence and documents, whether to customers or others, must be neatly prepared and error-free. Attention to accuracy and detail in all paperwork demonstrates your commitment to those with whom we do business.

2016.4 When an employee encounters an uncomfortable situation that he or she does not feel capable of handling, the District Manager should be called immediately for assistance. Employees should never argue with a customer. If a problem develops, or if a customer remains dissatisfied, ask your supervisor to assist in a resolution.

g. POLICY TITLE: Use of and Responsibility of Employer Property
POLICY NUMBER: 2019

2019.1 Desks, computers and other equipment are BCRC D property and must be maintained according to BCRC D rules and regulations. They must be kept clean and are to be used only for work-related purposes. BCRC D reserves the right to inspect all BCRC D property to ensure compliance with its rules and regulations, without notice to the employee and at any time, not necessarily in the employee's presence.

2019.2 BCRC D provides tools, supplies and facilities for the use of the employees in the performance of their work. Employees who use BCRC D equipment must be familiar with their proper use and care and shall operate them in accordance with instructions for use. Employees shall notify the District Manager immediately of any needed maintenance for any BCRC D facility or equipment, and if they need guidance as to the uses.

2019.3 Employees must report all accidents and/or damage to BCRC D equipment to the District Manager. Failure to properly use BCRC D equipment or to report accidents and/or damage may result in disciplinary action up to and including termination.

2019.4 No employee shall use BCRC D facilities or equipment for personal use without the prior written approval of the District Manager.

2019.5 Company voice mail and/or electronic mail (e-mail) are to be used for business purposes only. BCRC D reserves the right to monitor and/or review voice mail messages and e-mail messages to ensure compliance with this rule, without notice to the employee and at any time,

not necessarily in the employee's presence.

2019.6 BCRCDC may periodically need to assign and/or change "passwords" and access codes for computers. These communication technologies and related storage media and databases are to be used only for BCRCDC business and they remain the property of BCRCDC. BCRCDC reserves the right to keep a record of all passwords and codes used and/or ability to override any such password system.

2019.7 Prior written authorization must be obtained before any BCRCDC property may be removed from the premises.

2019.8 For security reasons, employees should not leave personal belongings of value in the workplace. Personal items are subject to inspection and search, with or without notice, with or without the employee's prior consent. BCRCDC is not to be responsible for damage or loss of employee personal property in the workplace or in facilities.

2019.9 Terminated employees are to remove any personal items at the time they leave BCRCDC. Personal items left in the workplace are subject to disposal if not claimed within a reasonable time of an employee's termination.

h. POLICY TITLE: Housekeeping
POLICY NUMBER: 2022

2022.1 All employees are expected to keep their work areas clean and organized and also assist in maintaining an overall clean work environment. Employees using common areas such as lunch rooms and restrooms or equipment are expected to keep them clean and sanitary. Employees are requested to clean up after meals and dispose of trash properly.

i. POLICY TITLE: Personal Possessions in the Workplace
POLICY NUMBER: 2025

2025.1 The BCRCDC shall not be responsible for any personal or non-business items or belongings brought to the District offices or facilities. Other than necessary personal items such as weather coats, a wallet or purse or briefcase for an employee, prior permission from a supervisor shall be received to bring and keep any personal items in the work place or vehicles.

2025.2 BCRCDC does not reimburse employees for items lost/stolen at work.

2025.3 An employee's personal property, including but not limited to packages, purses, and backpacks, may be inspected upon reasonable suspicion of unauthorized possession of BCRCDC property or violation of BCRCDC property.

j. POLICY TITLE: Dress Code & Personal Standards
POLICY NUMBER: 2028

2028.1 At BCRCDC, professional image is important and is maintained, in part, by the image that employees present to members, visitors, vendors, and others in our business. In choosing

appropriate work attire, employees should consider factors including tastefulness, anticipated requirement for public contact, the nature of the job, and working conditions.

2028.2 BCRCDC expects all employees to use good judgment and taste in matters of personal grooming and dress. Good judgment includes consideration for both BCRCDC and its constituents and clients. Attire should be in keeping with the dignity and image of a professional office. Employees should always be neat and clean in appearance, dressed in reasonably professional and conservative attire, and conduct themselves in a businesslike manner. Visible piercings must be limited to earrings. Visible tattoos that may be offensive and extreme hair styles are prohibited.

2028.3 In all cases, supervisors will assist employees to determine what is considered appropriate attire for the particular situation. The following is offered as a general guideline:

Business Casual Attire (Monday through Friday): No jeans, t-shirts, exposed midriffs, low cut tops showing cleavage, tops with spaghetti straps, tube-tops, halter tops, sweats, shorts, tennis shoes, flip flops, or other informal or inappropriate attire.

Business Attire (Board & Special Meetings): Generally will include suits, sport coats, dress shirt and tie and dress slacks unless excused by the General Manager in advance.

Field Work Attire (All times): Field or facility work may require special uniforms or equipment. Employees shall consult with a supervisor on requirements in advance. No personal hats or jackets, including with logos or names on them other than the District, shall be allowed.

2028.4 Non-Compliance

Employees who are inappropriately dressed may be sent home and directed to return to work in the proper attire. Non-exempt employees will not be compensated for the time away from work. Employees who violate BCRCDC, dress code policy and/or grooming standards will be subject to corrective action and disciplinary action, up to and including termination.

k. POLICY TITLE:	Employee Records
POLICY NUMBER:	2032

2032.1 All personnel information and records are to be considered as confidential to the extent allowed by Federal or State law. The District policy is to require all personnel files to be maintained in a secure and private condition and to have all employees manage personnel information in that manner.

2032.2 An employee shall have the right to inspect certain documents in his/her personnel file, as provided by law, in the presence of a **designated BCRCDC representative** at a mutually convenient time. If you wish to inspect your file, you must schedule an appointment with the **[designated DISTRICT representative]**. If you wish to make copies of any document, a reasonable fee may be charged to the amount of cost required.

2032.3 BCRCDC will restrict disclosure of your personnel file to authorized individuals within BCRCDC. Any request for information contained in personnel files must be directed to the [*designated DISTRICT representative*]. Only the [*designated DISTRICT representative*] is authorized to release information about current or former employees. Disclosure of personnel information to outside sources will be limited. However, BCRCDC will cooperate with requests from authorized law enforcement or local, state, or federal agencies conducting official investigations and as otherwise legally required or authorized.

l. POLICY TITLE: Employee References
POLICY NUMBER: 2035

2035.1 All requests for references or employment information must be directed to the District Manager. No other manager, supervisor, or employee is authorized to release references for current or former employees.

2035.2 By policy, BCRCDC discloses only the dates of employment and the title of the last position held of former employees. If a district employee authorizes the disclosure of information in writing, BCRCDC also will inform prospective employers or financial entities of the amount of salary or wage you last earned.

2035.3 No other employee may provide information about a current or former employee without prior written authorization of the District Manager. Violation of this policy may result in disciplinary action up to and including termination.

m. POLICY TITLE: Employee Information/Emergency Data
POLICY NUMBER: 2038

2038.1 It shall be the policy of the BCRCDC to maintain accurate and vital personal contact information for each employee and Director of the District in case of need to contact them. All such information shall be maintained as confidential to the extent allowed by law.

2038.2 It is important that employees promptly notify the BCRCDC of any changes to their personal information including:

- Name
- Home and Mailing Address
- Home and Cell Phone Telephone Numbers
- Number, Names, and Status of Spouse and Dependents
- Change of Emergency Contact Information
- Educational Accomplishments
- Marital or Registered Domestic Partner Status
- Payroll Deductions
- Benefit Plan Beneficiary

2038.3 Employees are responsible for notifying the District Manager in the event of a name, address or other vital information change as required by this policy or any other District policy/procedure.

2038.4 The District shall not be responsible in the event of failure of an employee to provide this information in a timely manner and a loss of benefits or services by the employee or dependents.

n. POLICY TITLE: Personal Vehicle Usage
POLICY NUMBER: 2049

2049.1 When an employee is authorized to use his/her personal vehicle in the performance of District work, he/she shall be reimbursed for the cost of said use on the basis of total miles driven and at the rate specified in the Internal Revenue Service Guidelines in effect at the time of said usage.

2049.2 Proof of adequate insurance coverage for collision, personal injury, and property damage shall be required by the District of any employee using a personal vehicle in the performance of District work.

o. POLICY TITLE: Employee Usage of Tools and Equipment
POLICY NUMBER: 2052

2052.1 As a benefit of employment, employees may borrow District tools and equipment for personal purposes on a limited basis after normal working hours. The conditions by which employees may borrow tools and equipment are as follows.

2052.1.1 Permission to use hand tools must be obtained prior to their usage from the District Manager.

2052.1.2 Permission to use motorized equipment must be obtained prior to their usage from the District Manager. No equipment requiring a commercial license for operation on a public roadway may be borrowed.

2052.1.3 Employees will sign for tools or equipment borrowed on a checkout form, and thereby acknowledges that they understand and accept the responsibility and liability as specified below. The form will also be signed by the District Manager who will inspect and verify the condition of the item to be borrowed.

2052.1.4 Only District employees may operate borrowed tools and equipment. Neighbors, friends, spouse, relatives, etc., may not use them. Borrowed tools and/or equipment may only be used on an employee's personal property.

2052.1.5 District tools/equipment may not be used for profit or financial gain. Further, tools and equipment may be borrowed for community service projects, subject to permission from the District Manager.

2052.1.6 The employee must be qualified in and comfortable with the operation of the tool or equipment he/she is borrowing.

2052.1.7 The tools/equipment may be borrowed for one evening or weekend at a time and must be returned the next day or following Monday. When returned, the employee must have the District Manager that inspected the borrowed item verify that it has not been damaged and sign off on the checkout form.

2052.1.8 Employees will be responsible for repairs of damage to tools/equipment that occur while it was borrowed. Fuel consumed by the tools and equipment is the employee's responsibility.

2052.2 Employees may not enter District property after normal working hours to borrow tools/equipment except in the case of an emergency and when the District Manager has granted permission.

**p. POLICY TITLE: Employee Seminar Attendance & Continuing
Education**
POLICY NUMBER: 2055

2055.1 It is the policy of the RCD to encourage its District Manager and staff to pursue educational opportunities, related to their present work, which will prepare them for foreseeable future opportunities within the District or that will enhance and update their performance skills.

2055.2 The District will reimburse expenses incurred for tuition, travel, lodging and meals as a result of training, educational courses, participation with professional organizations, and/or attendance at local, state and national conferences associated with the interests of the District, that are preapproved by the District Manager, or in the case of the District Manager, that are preapproved by the Board.

2055.3 District administrative staff shall be responsible for making arrangements for travel, lodging and registration for the District Manager or approved personnel attending such educational courses, state and national seminars, workshops and conferences. All expenses shall be submitted to the District for reimbursement in accordance with District Policy # 2058 – Meeting and Travel Expense Reimbursement.

2055.4 Attendance by staff at seminars, workshops, conferences and educational courses shall require written approval by the District Manager prior to incurring any reimbursable costs, except as provided for in Policy 2055.4.1.

2055.4.1 Attendance by the District Manager at seminars, educational courses, workshops and conferences sponsored by organizations to which he/she is the district's designated representative (i.e.: CSDA, ACWA, CASA, etc.) shall not require pre-approval by the Board of Directors, provided said attendance is at a preapproved organization and within the annual budget for such expenditures. The District Manager shall inform the Board of any such upcoming events prior to attending.

2055.4.2 All attendance by staff to seminars, educational courses, workshops and conferences that are held outside the State of California shall be require approval by the Board of Directors prior to incurring any reimbursable costs, with no exceptions.

q. POLICY TITLE: Compensation for Meetings and Travel
POLICY NUMBER: 2058

2058.1 The RCD recognizes that, for the benefit and in the interests of the District, it is necessary for District staff and Directors to attend meetings and to travel in order to conduct District business. The RCD is committed to wise and prudent use of its entrusted public funds, to conserve District resources and to keep expenses within community standards. The RCD is also committed to providing effective and responsive services to its constituents. This policy sets forth guidelines for travel and meeting attendance on District business, and for the reimbursement of expenses.

2058.2 All actual and necessary travel and incidental expenses shall be reimbursed upon submission of the District's expense reimbursement form and accompanying receipts for preapproved training and educational courses and events. The expense reimbursement form must be submitted within 30 days of the qualifying travel or expense.

2058.2.1 Meals: Meals shall be reimbursed at the actual cost, when accompanied by a receipt, provided that the expense is not lavish or extravagant. In lieu of actual meal expense reimbursement, a per diem for meals and incidental expenses is allowed. For travel exceeding a single day, the per diem rate is fifty dollars (\$50) per day. The per diem rate for individual meals is as follows:

2058.2.1.1 Breakfast: ten dollars (\$10)

2058.2.1.2 Lunch: fifteen dollars (\$15)

2058.2.1.3 Dinner: twenty five dollars (\$25)

2058.2.2 Lodging: If lodging is in connection with a conference or educational activity, lodging costs shall not exceed the maximum group rate published by the conference or activity sponsor, provided that lodging at the group rate is available at the time of booking. If the group rate is not available, comparable lodging will be used. Government and group rates for lodging will be used whenever possible.

2058.2.3 Transportation: Government and group rates for transportation will be used when available.

2058.2.4 Mileage: Mileage will be reimbursed at the IRS published mileage rate when a personal vehicle is authorized and utilized for travel while on District business.

2058.2.5 Cash advance: Subject to approval of the District Manager, a cash advance to cover the anticipated expenses for authorized travel may be offered by the District. An **expense reimbursement form** must be submitted within thirty (30) days of the travel, and any unused cash advanced must be returned to the District once the activity is completed.

2058.3 All documents related to reimbursable District expenditures are public records subject to disclosure under the California Public Records Act.

2058.4 Regardless of how it may occur, misuse of public resources or falsifying expense reports in violation of this policy may result in any or all of the following:

2058.4.1 loss of reimbursement privileges,

2058.4.2 restitution to the District,

2058.4.3 civil penalties for misuse of public resources,

2058.4.4 disciplinary action up to or including termination, and

2058.4.5 prosecution for misuse of public resources.

2058.5 This policy shall be consistent with state law (AB 1234) and comply with state law if it changes from time to time.

r. POLICY TITLE: Professional Licenses and/or Certifications
POLICY NUMBER: 2061

2061.1 Licenses and/or certifications may be required as a condition of employment in accordance with Federal or State Law. The Board of Directors and/or District Manager may specify additional licenses and/or certifications for each job classification as may be deemed necessary to carry out the duties and responsibilities of specific job classifications.

s. POLICY TITLE: Employee Assistance
During Response to Emergency Situations
POLICY NUMBER: 2064

2064.1 Employees are to be trained to handle emergencies in the field or at District facilities as the purposes of such activities are to improve District operation and safeguard the value of

District assets. Hence, employees often work under adverse conditions and under stress at times to the degree that is beneficial to the District.

2064.1.1 Employees working in the field or at District facilities may be required to work unusual hours and shifts including nights and weekends. Due to these unusual hours, emergency situations involving the employee or his/her family may occur while working. Employees are trained and are to be prepared for such incidents.

2064.2 It is the policy of the District to provide a safe and environmentally friendly working experience. Employees may be subject to injury or to notifications that members of their families are in need of assistance. It is the policy of the district to assist employees in these situations as much as possible to minimize the mental and emotional impacts upon them.

2064.2.1 An employee who experiences an injury on the job is to inform his/her supervisor or another management employee as soon as reasonably possible by phone or in person. In case of injury beyond first aid level, the employee is to be transported to the designated first aid treatment facility. The nature of the injury or incident and any actions needed to be taken shall be reported. If involving a criminal act or an equipment accident, an accident report shall be completed as soon as possible and within 24 hours.

2064.2.2 In cases where an employee's family member is involved in an emergency situation and the employee believes that he/she must leave the job to respond, the employee shall inform his/her supervisor or another management employee immediately and before leaving the work site. If no response is required, the employee is encouraged to inform his/her supervisor in order to have them aware of the situation and to provide supportive assistance in an appropriate manner. An Employee Assistance Program (EAP) may be available and the employee is encouraged to contact the identified agency or the Human Resources Department for assistance.

2064.2.3 Expenses to the District for an EAP may be provided by the District for initial administrative services. Specific services available to the employee shall be identified and appropriate expense information made known by the EAP provider.

2064.2.4 Absences from work due to injury or emergencies of close family members may be covered by either workers compensation, sick leave or the Federal FMLA regulations. The employee shall consult with the District Manager as soon as practical to determine what applicable leave or laws apply to their situation. A doctor's certification may be required for use of leaves and for returning to work in some cases.

2064.3 Employees, supervisors and managers shall be provided training and information on dealing with injury, emergencies and trauma on the job in order to prepare them for unusual situations. Such training is not to be viewed as for personal safety and security but for handling sensitive and emergency situations until additional assistance may be obtained.

t. POLICY TITLE: Grievance Procedure
POLICY NUMBER: 2067

2067.1 This policy shall apply to all regular employees in all classifications.

2067.2 The purpose of this policy is to provide a procedure by which an employee may formally claim that he/she has been affected by a violation, misapplication, or misinterpretation of a law, District policy, rule, regulation, or instruction.

2067.3 Specifically excluded from the grievance procedure are subjects involving the amendment of state or federal law; resolutions adopted by the District's Board of Directors, ordinances or minute orders, including decisions regarding wages, hours, and terms and conditions of employment.

2067.4 Grievance Procedure Steps.

2067.4.1 Level I, Preliminary Informal Resolution. Any employee who believes he/she has a grievance shall present the evidence thereof orally to his/her immediate supervisor within five working days after the employee knew, or reasonably should have known, of the circumstances which form the basis for the alleged grievance. The immediate supervisor shall hold discussions and attempt to resolve the matter within three working days after the presentation of such evidence. It is the intent of this informal meeting that at least one personal conference be held between the employee and the immediate supervisor.

2067.4.2 Level II, District Manager. If the grievance has not been resolved at Level I, the grievant may present his/her grievance in writing on a form provided by the District (attached hereto as Appendix "A") to the District Manager within ten working days after the occurrence of the act or omission giving rise to the grievance.

2067.4.2.1 The statement shall include the following:

- (a) A concise statement of the grievance including specific reference to any law, policy, rule, regulation, and/or instruction deemed to be violated, misapplied or misinterpreted;
- (b) The circumstances involved;
- (c) The decision rendered by the immediate supervisor at Level I;
- (d) The specific remedy sought.

2067.4.2.2 The District Manager shall communicate his/her decision within ten days after receiving the grievance. Decisions will be in writing setting forth the decision and the reasons therefore and will be transmitted promptly to all parties in interest. If the District Manager does not respond within the

time limits, the grievant may appeal to the next level. Time limits for appeal shall begin the day following receipt of the District Manager's written decision. Within the above time limits, either party may request a personal conference with the other.

2067.4.3 Level III, Board of Directors' Personnel Committee. In the event the grievant is not satisfied with the decision at Level II, the grievant may appeal the decision in writing on a form provided by the District (attached hereto as Appendix "A") to the District Board of Directors' standing Personnel Committee within five (5) days. The statement shall include a copy of the original grievance; a copy of the written decision by the District Manager; and a clear, concise statement of the reasons for the appeal to Level III.

2067.4.3.1 The Personnel Committee shall, as soon as possible, schedule a hearing in closed session to formally receive the written grievance and the answers thereto at each step and to hear evidence regarding the issue or issues. The Committee's decision shall be announced in open session immediately after the closed session in which it was made.

2067.5 Basic Rules.

2067.5.1 If an employee does not present the grievance, or does not appeal the decision rendered regarding the grievance within the time limits specified above, the grievance shall be considered resolved.

2067.5.2 By agreement in writing, the parties may extend any and all time limitations specified above.

2067.5.3 The District Manager may temporarily suspend grievance processing on a District-wide basis in an emergency situation. Employees covered by this policy may appeal this decision to the Board of Directors.

2067.5.4 A copy of all formal grievance decisions shall be placed in the employee's permanent personnel file.

u. POLICY TITLE: Political Activity on District Facilities or Work Time
POLICY NUMBER: 2073

2073.1 District Employees shall not engage in political campaign activities while on duty for the District or on District facilities or properties. District property (vehicles, bulletin boards, offices, telephones or computers, etc.) shall not be used for political purposes by employees or customers and shall remain free of political statements, propaganda, or endorsement information. District employees shall be afforded reasonable opportunity or time to vote in elections as authorized under District Voting Policy.

v. POLICY TITLE: Gift Acceptance Guidelines
POLICY NUMBER: 2076

2076.1 An employee or his/her immediate family may not accept from, or provide to, individuals or companies doing or seeking to do business with the District, gifts, entertainment, and/or other services or benefits unless the transaction meets all of the following guidelines:

2076.1.1 Is customary and gives no appearance of impropriety and does not have more than a nominal value;

2076.1.2 Does not impose any sense of obligation on either the giver or the receiver;

2076.1.3 Does not result in any kind of special or favored treatment;

2076.1.4 Cannot be viewed as extravagant, excessive, or too frequent considering all the circumstances including the ability of the recipient to reciprocate at District expense.

2076.1.5 Is given and received with no effort to conceal the full facts by either the giver or receiver.

w. POLICY TITLE: Volunteer Personnel Workers' Compensation Insurance
POLICY NUMBER: 2079

2079.1 An unpaid person authorized to perform volunteer service for the District shall be deemed to be an employee of the District for the purposes of Workers' Compensation Insurance benefits provided for by law for any injury or illness sustained by them while engaged in the performance of services for the District under its direction and control.

2079.1.1 The Legislature of the State of California has provided through legislation (Labor Code §3363.5) authorization for the inclusion of such coverage in the District's Workers' Compensation Insurance policy.

x. POLICY TITLE: Outside Employment
POLICY NUMBER: 2082

2082.1 No District employee shall be permitted to accept employment in addition to or outside of District service if:

2082.1.1 The additional or outside employment leads to a conflict, or potential conflict of interest for said employee; or,

2082.1.2 The nature of the additional or outside employment is such that it will reflect unfavorably on the District; or,

2082.1.3 The duties to be performed in the additional or outside employment are in conflict with the duties involved in District service.

2082.2 An employee who does have additional or outside employment shall not be permitted to use District records, materials, equipment, facilities, or other District resources in connection with said employment.

y. POLICY TITLE: Notifications of Reductions in the Work Force
POLICY NUMBER: 2085

2085.1 Under some circumstances, RCD may need to restructure or reduce its workforce. The RCD maintains its exclusive right to make decisions on staffing and work requirements for employees. If restructuring our operations or reducing the number of employees becomes necessary, the RCD will attempt to provide reasonable advance notice, if possible, to help prepare affected individuals. If possible, employees subject to layoff will be informed of the nature of the layoff and the foreseeable duration of the layoff, whether short-term or indefinite. Notifications shall be conducted in accordance with this policy or any applicable employment contract in force.

2085.2 In determining which employees will be subject to layoff, the RCD will take into account, among other things, operational and workload requirements; the skill, productivity, ability, and past performance of those employees involved, and also, when feasible, the employee's length of service.

z. POLICY TITLE: Unemployment Insurance
POLICY NUMBER: 2088

2088.1 Unemployment compensation insurance provides a weekly benefit for a specified period due to a qualifying condition of unemployment. These benefits change periodically and are established by State law. Employees do not contribute for this benefit.

2088.2 Unemployment compensation insurance benefits are not available to employees who voluntarily quit without good cause or who are terminated for work related misconduct deemed injurious to the RCD. At the time of employment separation, employees may, upon request, be provided with a booklet published by the Employment Development Department explaining benefits, eligibility, and claim filing procedures.

aa. POLICY TITLE: Nepotism
POLICY NUMBER: 2100

2100.1 It is the policy of the RCD to seek for its staff the best possible candidates through appropriate search procedures. There shall be no bars to appointment of individuals who have

close relatives in any staff category in the same or different departments so long as the following standard is met:

2100.1.1 No employee shall vote, make recommendations, or in any way participate in decisions about any personnel matter that may directly affect the selection, appointment, promotion, termination, other employment status, or interest of a close relative.

2100.1.1.1 For the purpose of this policy, "close relative" is defined as husband, wife, mother, father, son, daughter, sister, brother, father-in-law, mother-in-law, sister-in-law and brother-in-law.

2100.2 When an individual is considered for appointment in a department in which an immediate family member is already assigned, review of this fact shall be required at all appointing levels. The objective of this review shall be to assure equity to all members of the department.

2100.3 When an individual is considered for appointment in a department where a close relative has supervisory responsibility, the appointment shall not be granted.

bb. POLICY TITLE: Job Posting – Application Period
POLICY NUMBER: 2110

2110.1 A personnel notice which includes the position title, salary range, and filing deadline shall be distributed and posted within each department of the District for a minimum period established by the District Manager. A job description outlining job responsibilities, minimum qualifications, prior experience requirements and selection process description shall be attached to the personnel notice at the time of posting.

cc. POLICY TITLE: Entry Level Positions
POLICY NUMBER: 2120

2120.1 Posting:

An entry level job opening notice shall be posted within each department of the District for a minimum of seven (7) days. At the District Manager's discretion, the opening may simultaneously be advertised publicly for outside applicants. Advertisement means publication in a local newspaper and in professional publications or journals.

2020.2 Selection Process:

The same standards and criteria shall be used in consideration, testing, and interviews as under Policy 2130.2 except that at any time there are not at least three (3) qualifying applicants (applicants that have successfully passed all tests and oral interviews) from which to choose for the position being filled, the District Manager may elect to reopen the recruitment or to reconsider filling of the position.

2020.3 Eligibility List:

Based on the results of the selection process, the District shall develop, and maintain for six (6) months, a list of candidates eligible for hire within the same job classification. If, within the six (6) month period a position in the same job classification becomes open, the District may select one (1) name from the first three (3) names on the eligibility list. The District shall not be required to have the candidate meet again with a full interview panel, but instead may elect to have the candidate meet with the Department Head and/or the immediate supervisor for a subsequent follow up interview.

dd. POLICY TITLE: Selection Process
POLICY NUMBER: 2130

**ee. POLICY TITLE: Selection Process - Non-Entry Level Job Openings -
Outside Applicants**
POLICY NUMBER: 2140

2140.1 The District may seek applications from outside applicants when any of the following occurs:

1. When the District Manager determines that less than a sufficient number of qualified regular or temporary District employees applies for the job opening.
2. When, in the opinion of the District, a current District employee fails to demonstrate the necessary skills, personal attributes, and/or physical requirements required to successfully perform the assigned tasks.
3. When a regular employee who was offered the job declines to accept the job offer.

2140.2 Public Notice of Open Position

Depending upon the position and the qualifications called for in the job description, a public notice may be advertised in the local area newspaper(s) and/or professional publications, and shall include the following:

1. Job title
2. Brief description of job duties
3. Minimum experience, qualifications, and license/certificate required.
4. Hourly rate of pay
5. Filing deadline – date and time

2140.3 Selection Process

The same standards and criteria shall be used in consideration, testing and interviews as under Policy 2130.2 except that at any time there are not at least two (2) qualifying applicants (applicants that have successfully passed all tests and oral interviews) from which to choose for the position being filled, the District Manager may elect to reopen the recruitment or to reconsider filling the position.

ff. POLICY TITLE: Separation from District Employment
POLICY NUMBER: 2200

2200.1 Resignation. To leave District service in good standing, an employee must file a written notice of resignation with the General Manager at least two weeks before the effective date. The General Manager may, however, grant good standing with less notice if he/she determines the circumstances warrant. Resignations may not be withdrawn without the General Manager's approval.

2200.2 Layoffs. Whenever, in the judgment of the District Board of Directors, it becomes necessary, due to the lack of work, lack of funds, or other economic reason, or because the necessity for a position no longer exists, the Board of Directors may abolish any position of employment, and the employee holding such position may be laid off or offered the option of moving to another position within the District, if a position is available and if the employee is qualified.

2200.2.1 Employees to be laid off shall be given notice at least 14 calendar days in advance of the layoff date.

2200.2.2 An employee affected by layoff may have retreat rights to displace an employee who has less seniority in a lower position that the employee has previously occupied or supervised. For the purpose of this document, seniority includes all periods of full-time service at or above the retreat position being considered.

2200.2.3 In order to retreat to a former or lower position, an employee must request displacement action in writing to the General Manager within five working days of receipt of the layoff notice.

2200.2.3.1 Employees retreating to a lower position shall be placed at the salary step representing the least loss of pay. In no case shall the salary be increased above that received in the position from which the employee was laid off.

2200.2.4 If two positions have the same job description, then employees shall be laid off according to employment status in the following order: temporary, provisional, probationary, and regular. Temporary, provisional, and probationary employees shall be laid off according to the needs of the service as determined by the General Manager. In cases where there are two or more regular positions with the same job description from which the layoff is to be made, such employees shall be laid off on the basis of the last evaluation rating in the position, providing such rating has been filled at least 60 days prior to layoff as follows:

2200.2.4.1 First, all employees having ratings of "Unsatisfactory;"

2200.2.4.2 Second, all employees having ratings of "Marginal;"

2200.2.4.3 Third, all employees having ratings of "Less Than Satisfactory;"

2200.2.4.4 Fourth, all employees having ratings of "Satisfactory;"

2200.2.4.5 Fifth, all employees having ratings of "Commendable;"

2200.2.4.6 Sixth, all employees having ratings of "Superior;" and,

2200.2.4.7 Seventh, all employees having ratings of "Exceptional."

2200.2.4.8 Employees within each of the rating categories shall be laid off in order of least seniority first.

2200.2.5 The names of persons laid off or demoted in accordance with this policy shall be entered upon a re-employment list. The re-employment list shall be used by the General Manager when a vacancy arises in the same or lower position before certification is made from an eligibility list.

2200.2.6 Names of persons laid off shall be carried on the re-employment list for one year, except that persons appointed to tenured positions of the same level as that from which they were laid off, shall upon such appointment, be removed from the list. Persons who refuse re-employment shall be removed from the list. Persons re-employed in a lower position in the same classification, or on a temporary basis, shall be continued on the list for the higher position for one year. At the discretion of the General Manager, the list may be extended for an additional year.

2200.3 Dismissal of Regular Employees. A regular employee may be dismissed at any time by the General Manager for cause, and after consulting with District Legal Counsel.

2200.3.1 The following shall constitute sufficient cause for dismissal:

2200.3.1.1 Conviction of a felony;

2200.3.1.2 Fraud in securing employment;

2250.3.1.3 Misappropriation of District funds or property;

2200.3.1.4 Intentional or gross misconduct; and,

2200.3.1.5 Failure to respond or improve regarding an item specified in ¶2260.2, "Grounds for Discipline", of Policy No.2260, "Disciplinary Action", after an evaluation or corrective action plan has failed to produce an improvement to performance.

2200.3.1.6 Incapacity due to mental or permanent physical disability rendering the employee unable to perform job duties.

2200.3.1.7 Severe physical or mental disability.

2200.3.2 A probationary employee may be terminated at any time during a probationary period without right of appeal or hearing. In case of such termination, the General Manager shall notify the probationary employee in writing that he/she is being separated from District service.

2200.3.3 Dismissal of the General Manager shall be as outlined in the employment agreement between the General Manager and the District.

2200.4 Notice of Dismissal. All regular employees shall be provided with a notice of dismissal. This notice shall be prepared by the General Manager after consultation with District Counsel and shall contain the following:

2200.4.1 A description of the proposed action and its effective date or dates, and in the case of a tenured employee, the ordinance, regulation or rule violated;

2200.4.2 A statement of the acts or omissions upon which the action is based;

2200.4.3 A statement that a copy of the materials upon which the action is based are attached or available for inspection upon request; and,

2200.4.4 In the case of a regular employee, a statement advising the employee of the right to file an appeal as provided in ¶2200.5 of this policy.

2200.5 Procedures for Disciplinary Action and Dismissal of Regular Employees.

2200.5.1 A regular employee may, upon receipt of a notice of dismissal or disciplinary action, appeal in writing to the General Manager within five working days of the date of the notification. The General Manager shall then schedule an informal hearing at which

the employee may answer the charges against him/her, present any mitigating evidence, or otherwise respond to the notice of dismissal. The hearing guidelines and format shall be available upon request. The General Manager shall issue his/her opinion and decision within ten working days of the hearing and may, if the General Manager finds that the dismissal was not justified, he/she may order a less severe disciplinary action, or may order the employee reinstated with full back pay and benefits.

gg. POLICY TITLE: Confidentiality Regarding Resignations¹
POLICY NUMBER: 2210

2210.1 To the extent permitted by law, District staff and Directors shall keep confidential the circumstances giving rise to an employee's resignation from the District.

2210.1.1 This policy is itself a public record which the District must release upon request.

hh. POLICY TITLE: Disciplinary Action
POLICY NUMBER: 2220

2220.1 The following measures are part of the disciplinary process: warning, reprimand, suspension with or without pay, dismissal, demotion, or reduction in pay. The General Manager may discipline any employee for cause.

2220.2 Grounds for Discipline.

2220.2.1 Discourteous treatment of the public or fellow employees.

2220.2.2 Drinking of intoxicating beverages or use of illegal or non-prescribed drugs on the job, or arriving on the job under the influence of such beverages or drugs.

2220.2.3 Habitual absence or tardiness.

2220.2.4 Abuse of sick leave.

2220.2.5 Disorderly conduct.

2220.2.6 Incompetence or inefficiency.

2220.2.7 Being wasteful of material, property, or working time.

2220.2.8 Violation of any lawful or reasonable regulation or order made and given by an employee's supervisor; insubordination.

¹ Source: Lozano Smith Smith Woliver & Behrens

2220.2.9 Neglect of duty.

2220.2.10 Dishonesty.

2220.2.11 Misuse of District property.

2220.2.12 Willful disobedience.

ii. POLICY TITLE: Letters of Recommendation²
POLICY NUMBER: 2230

2230.1 The Board of Directors recognizes that the District faces exposure to significant liability through the provision of letters of recommendation by District employees. The Board finds that it is, therefore, in the best interests of the District to ensure that letters of recommendation issued by individuals in their capacity as District employees, or which could be reasonably interpreted as written in the individual's capacity as a District employee, be accurate and conform to all requirements of law. Therefore, the General Manager or his/her designee is directed to create and implement a practice whereby all letters of recommendation are reviewed and approved by the General Manager or his/her designee before dissemination.

2230.1.1 The General Manager or designee shall process all requests for references, letters of recommendation, or information about the reasons for separation regarding all district employees other than himself/herself. All letters of recommendation to be issued on behalf of the District for current or former employees must be approved by the General Manager or his/her designee.

2230.1.2 At his/her discretion, the General Manager or his/her designee may refuse to give a recommendation. Any recommendation he/she gives shall provide a careful, truthful, and complete account of the employee's job performance and qualifications.

jj. POLICY TITLE: Termination During Leave of Absence
POLICY NUMBER: 2240

2240.1 Employees may be replaced or terminated during a qualified leave of absence for any of the following reasons:

1. Notice of intent to resign or demonstration of intention not to return to work is given;
2. Employee fails to return to work within the time specified for the leave without having obtained a [*DISTRICT*] approved extension of the original leave expiration date;
3. Employee fails to supply a doctor's certificate or other requested documentation within a designated timeframe to substantiate the need for, or an extension of, a leave;

² Source: Lozano Smith Smith Woliver & Behrens

4. Employee fails to accept their former position upon return, or if not available, another position for which they may be reasonably qualified;
5. Employee refuses to undergo a medical evaluation by an appointed doctor at [DISTRICT's] expense when requested; other than based on acceptable religious reasons.
6. Employee accepts other employment at any time during the leave of absence; or
7. Employee's position no longer exists at the conclusion of his/her leave.

kk. POLICY TITLE: Pay Periods
POLICY NUMBER: 2300

2300.1 The salaries and wages of all District employees shall be paid bi-weekly.

2300.2 In the event a payday falls on one of the holidays listed in Policy #2505, "Holidays", or on a Saturday or Sunday, the immediately previous working day shall become the payday.

ll. POLICY TITLE: Time Keeping/Time Records
POLICY NUMBER: 2305

2305.1 It is the responsibility of every non-exempt employee to accurately record time worked. Federal and state laws require the RCD to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is the time actually spent on the job performing assigned duties, less meal periods.

2305.2 Overtime compensation will be paid to qualified hourly employees. Overtime work must always be approved by a supervisor before it is performed. In accordance with Federal law, [DISTRICT] rounds this time to the nearest one-quarter hour/fifteen minutes.

2305.3 It is the employee's responsibility to sign and submit on time his/her time records certifying the accuracy of all time recorded for compensation.

mm. POLICY TITLE: Rest & Meal Periods
POLICY NUMBER: 2310

2310.1 All regular, full-time employees may take periods of rest during the workday consisting of a ten-minute rest period in the morning, another ten-minute rest period in the afternoon, and a one-hour meal period.

2310.2 Employees are required to notify their immediate supervisor, where feasible, at the beginning of any break or meal periods. Please keep in mind that when employees are not on a break, they are expected to devote their full efforts to their duties.

2310.3 Routinely, general and non-safety, emergency classified employees are relieved of all active responsibilities and restrictions during meal periods and are not compensated for that time.

Employees responsible for handling emergencies or safety related duties may have to work through or cut short breaks or meal periods. Employees are responsible for making sure they take their breaks and meal period each day.

nn. POLICY TITLE: Advancement of Wages
POLICY NUMBER: 2315

2315.1 This policy shall apply to all District employees.

2315.2 Employees requesting payment of wages in advance of regular pay days as defined in Policy No. 2300, "Pay Periods", shall submit said request to the Finance Division Manager [*or other responsible managing employee*].

2315.3 The Finance Division Manager [*or other responsible managing employee*] may authorize the requested advancement of wages if the amount requested does not exceed the wages accrued (excluding applicable deductions) by the employee to the date of said request.

2315.4 Advancement of wages prior to a regular payday is not a privilege that an employee may use at his/her discretion, but may be authorized by the Finance Division Manager [*or other responsible managing employee*] at his/her discretion in case of employee necessity and/or personal financial emergency.

2315.5 Requests for advancement of wages may be submitted only once in any three-month period, and frequent requests shall be grounds for denial.

oo. POLICY TITLE: Wage Garnishments
POLICY NUMBER: 2320

2320. A garnishment is a legal levy by a creditor against an employee's pay. [*DISTRICT*] expects all employees to manage their personal finances so as not to involve [*DISTRICT*] where ever possible.

2320.1 All garnishments and other attachment orders that are required by law to [*DISTRICT*] will be honored. When a garnishment action is received, [*DISTRICT*] will inform the employee of the amount involved to the extent allowed by law.

2320.2 An employee who suspects that a garnishment action may happen to him/her should review the situation with the [*HR/General Manager*] immediately.

pp. POLICY TITLE: Payroll Deductions for Salaried Employees
POLICY NUMBER: 2325

2325.1 Employees paid on a "salary basis" regularly receive a predetermined amount of compensation each pay period. Subject to the exceptions listed below, a salaried employee will receive his/her full salary for any workweek in which he/she performs any work, regardless of

the number of days or hours worked. A salaried employee may not be paid for any workweek in which he/she performs no work, subject to [DISTRICT] benefits programs and policies.

2325.2 No deductions from salary may be made for time when work is not available, provided the salaried employee is ready, willing, and able to work. Deductions from pay are permissible when a salaried employee:

- Is absent from work for one or more full days for personal reasons other than sickness or disability;
- Is absent for one or more full days due to sickness or disability if the deduction is made in accordance with a plan, policy, or practice of providing compensation for salary lost due to illness;
- Is absent for military duty and performs no work during the time off;
- Works less than a full week during the initial or final week of employment;
- Violates safety rules of major significance; or
- Violates written workplace conduct rules applicable to all employees and is suspended without pay for one or more full days.

2325.3 It is [DISTRICT] policy to comply with these salary basis requirements. Therefore, [DISTRICT] prohibits all employees and managers from making any improper deductions from the salaries of exempt employees. [DISTRICT] wants employees to be aware of this policy and know that [DISTRICT] does not allow deductions that violate federal or state law.

2325.4 If you believe that an improper deduction from your salary has been made, you should immediately report this information to your direct supervisor.

2325.5 Reports of improper deductions will be investigated promptly. If it is determined that an improper deduction has occurred, you will be promptly reimbursed for any improper deduction made.

2325.6 Every employee is required to submit a Form W-4 at the beginning of each year to direct the payroll staff to make appropriate federal and state income tax deductions.

qq. POLICY TITLE: Compensation
POLICY NUMBER: 2330

2330.1 This policy shall apply to all District employees.

2330.2 Compensation at Hiring.

2330.2.1 New Employees. All newly appointed employees shall be paid at the first step of the salary range for the position to which the employee is appointed except as provided elsewhere herein.

2330.2.2 Advanced Step Hiring. If the General Manager [or PERSONNEL DIRECTOR, etc.] finds that qualified applicants cannot be successfully recruited at the first step of the

wage range, he/she may request the Board of Directors to authorize an appointment at an advanced step of the wage range.

2330.2.3 Former Employees. A person who previously held a full-time position from which the person was separated in good standing may, when re-employed in a position with the same or lower pay range than held at separation, be appointed at the same salary rate which was paid at the effective date of the person's termination, or the nearest lower applicable step for the range to which the person is appointed, provided such re-employment occurs within twelve (12) months from the date of said termination.

2330.3 Merit Advancement Within Range.

2330.3.1 Performance Evaluation Required. The General Manager [*or PERSONNEL DIRECTOR or other responsible managing employee*] shall authorize a merit advancement within the salary range only after evaluating the employee's performance and determining that it is satisfactory. This determination shall be noted on a performance evaluation form to be placed in the employee's file, with a copy given to the employee.

2330.3.2 Period of Employment Required for Merit Advancement. Unless otherwise specified herein, each employee shall, in addition to receiving a satisfactory performance evaluation, complete the following required time of employment to be eligible to receive a merit increase:

2330.3.2.1 New Employees. A person hired as a new employee shall have a merit advancement date which is ___ [*six, 12, etc.*] months following the appointment date.

2330.3.2.2 Promotion or Demotion. An employee who is promoted or demoted shall have a new merit advancement date which shall be one year from the date of promotion or demotion.

2330.3.2.3 Voluntary Demotion. An employee who voluntarily demotes to a position at a lower salary range shall have no change in merit advancement date.

2330.3.2.4 Change-in-Range Allocation. If the salary range for an employee's position is changed, the employee's merit advancement date shall not change.

2330.3.2.5 Position Reclassification. An employee whose position is reclassified to a position having the same or lower salary range shall have no change in merit advancement date. An employee whose position is reclassified to a position having a higher salary range shall have a new merit advancement date which is one year following the effective date of the position reclassification.

2330.3.2.6 Non-Merit Step Adjustments. An employee whose salary step is adjusted to a higher step for reasons other than regular merit advancement shall have a new merit advancement date effective one year from the date of said adjustment.

2330.3.3 Effective Date. An employee's merit increase shall take place on the first day of the pay period in which his/her merit advancement date falls. The General Manager [or PERSONNEL DIRECTOR, etc.] may delay authorizing the merit advancement up to 90 days beyond the employee's merit advancement date without affecting the normal merit advancement date. In case of such a delay, the employee's merit advancement shall be effective the first day of the pay period following the General Manager's [or PERSONNEL DIRECTOR or other responsible managing employee] authorization. If authorization for merit advancement is delayed beyond 90 days from the employee's merit advancement date, the employee shall not be eligible for a merit increase until his/her next normal merit advancement date.

2330.4 Promotion. Employees promoted to a position with a higher salary range may be paid either at the minimum rate of the new range or at the nearest higher rate that the employee would otherwise be entitled to on the date the promotion is effective, whichever is greater, provided than an employee promoted to a salary range in excess of one range above his/her former range shall receive no less than one range increase [or 3%, 5%, etc.], at the same step, in rate.

rr. POLICY TITLE: Payroll Deductions
POLICY NUMBER: 2335

2335.1 The RCD is required by state and/or federal law to withhold a portion of an employee's pay for tax or government-mandated benefit programs and other mandatory deductions from time to time. These legally required deductions include, but are not limited to, the following items:

1. Federal Income Tax
2. State Income Tax
3. Medicare Deduction
4. Employee's contribution to Social Security
5. Court Ordered Deductions (such as garnishments) and Tax Liens

2335.2 Additionally, employees may authorize certain deductions to be made from their paychecks for reasons such as payment of group medical insurance premiums. All deductions, whether they are legally required or voluntary, are itemized on each employee's paycheck stub.

ss. POLICY TITLE: Paycheck Direct Deposit
POLICY NUMBER: 2340

2340.1 The RCD offers automatic payroll deposit for employees on a discretionary basis to qualifying banking institutions. You may begin and stop automatic payroll deposit at any time with required written notice to the payroll department. To begin automatic payroll deposit, you must complete a form (available from the payroll department) and return it to payroll at least 10 days before the pay period for which you would like the service to begin. You should carefully monitor your payroll deposit statements for the first two pay periods after the service begins.

2340.2 To stop automatic payroll deposit, complete the form available from the payroll department and return it to payroll at least 10 days before the pay period for which you would like the service to end. You will receive a regular payroll check on the first pay period after the receipt of the form by payroll, provided it is received no later than 10 days before the end of the pay period.

tt. POLICY TITLE: Temporary Reclassifications
POLICY NUMBER: 2345

2345.1 The RCD General Manager may temporarily assign an employee to perform work normally performed by another employee or position classification at a different level or salary.

2345.2 An employee temporarily assigned to perform work of a lower paid classification shall not have his or her salary reduced, and an employee temporarily assigned to perform work of a higher paid classification shall receive compensation equal to either the lowest salary step for that position that would provide for an increase in pay or five percent, whichever is less, for all time spent in the acting position in excess of four (4) consecutive work weeks. An approved reclassification shall continue only until such time as the employee is returned to his or her original job duties.

2135.3 Temporary assignments to a higher or lower paid class need to be in writing and approved by the General Manager in advance.

uu. POLICY TITLE: Employee Promotion
POLICY NUMBER: 2350

2350.1 An employee may be promoted only if the employee has the desirable qualifications for the higher position. Desirable qualifications shall be ascertained on the same basis of information, application, examination, interview, and evaluation as those for an initial appointment in accordance with the most current Job Description.

2350.2 A promoted employee shall be required to successfully complete a six (6) month probation period, as outlined in Policy 2003.2. If a promoted employee is unable to perform the required duties of the new position and has not successfully completed the probation period, the employee may be restored to the position from which he/she was promoted, or be required to successfully complete an additional six (6) month probationary period.

vv. POLICY TITLE: Demotion - Nondisciplinary
POLICY NUMBER: 2355

2355.1 The General Manager may demote an employee, with the written consent of the employee, to a vacant position in lieu of layoff, provided the employee possesses the desired qualifications for the position to which he/she is assigned.

2355.2 At least five working days before a non-disciplinary demotion becomes effective, written notice of the action shall be provided to the employee and the payroll department.

2355.3 The General Manager shall provide the employee with written job duties within five working days of starting the new position and a written performance review within six months. The employee shall be subject to a probationary period, generally a six (6) month period. In the event that the employee does not perform satisfactorily within the probationary period, the General Manager shall have the discretion of extending the employee's probationary period or terminating the employee.

ww. POLICY TITLE: Hours of Work and Overtime
POLICY NUMBER: 2400

2400.1 This policy shall apply to all non-exempt employees.

2400.2 The regular hours of work each day shall be consecutive except for interruptions for meal periods or as approved by the General Manager in writing.

2400.3 A workweek is defined to consist of seven (7) consecutive calendar days, Sunday through Saturday, and, except as otherwise provided herein, a basic workweek is defined to consist of five (5) consecutive work days of eight (8) hours each, Monday through Friday. The regular work hours shall be 8:00 a.m. to 5:00 p.m. with one (1) hour off for lunch. A majority of employees may request a change of regular work hours, for their division, with the consent of the General Manager, so that the regular work hours may be revised to accommodate needs of the public, such as 7:00 a.m. to 4:00 p.m. with one hour off for lunch.

2400.3.1 A three-fourths ($\frac{3}{4}$) majority of the employees within a division may ratify a change of regular work hours for their division to effect a "9-80s" schedule (i.e., employees would work eight nine-hour days and one eight-hour day during a two-week pay period), subject to the consent of the General Manager. A simple majority (>50%) may ratify returning the regular work hours for a division to a traditional "10-80s" schedule (ten eight-hour days in a two-week pay period). When a 9-80s schedule is in effect, holidays will be credited as eight-hour days, even when they fall on a day that would normally be assigned as a nine-hour day. One hour of vacation time will be added to the eight hours of holiday credit to complete the compensated leave for the day.

2400.4 Overtime is defined as:

2400.4.1 Time worked in excess of 40 hours in a workweek;

2400.4.2 Time worked in excess of eight hours on a scheduled workday if a five-day, eight-hour per day workweek is in effect; or,

2400.4.3 Time worked in excess of scheduled hours on a scheduled workday if an alternative workday is in effect such as a four-day, ten-hour per day workweek is in effect; or,

2400.4.4 Time worked on a designated holiday.

2400.5 Other than regular hours of work, any time worked by an employee in emergency repair or emergency maintenance of facilities of the District shall be compensated at the overtime rate of pay.

2400.5.1 A schedule shall be maintained by the [*MAINTENANCE SUPERVISOR or other responsible managing employee*] whereby maintenance employees shall be assigned, on a rotational basis, to be "on-call" on weekends, holidays, and other times not considered regular hours of work for District employees.

2400.5.2 When an employee is on-call, he/she shall be provided a [*radio, pager, etc.*] which will provide notification in the event of an emergency repair/maintenance work need. Said [*radio, pager, etc.*] shall be kept in the on-call employee's possession during the entire on-call period. Notification of an emergency-repair/ maintenance job may also be given verbally, in person or telephonically by the [*MAINTENANCE SUPERVISOR or other responsible managing employee*].

2400.5.3 When an employee is on-call, he/she shall be free to utilize his/her time as desired, but must remain within the general [*NAME*] District area, going no farther than [*TIME*] minutes travel time away from any District facility. Said employee will be compensated as agreed upon in writing by policy for standby days/time.

xx. POLICY TITLE: Use of Make Up Time
POLICY NUMBER: 2410

2410.1 The RCD allows the use of make up time when non-exempt employees need time off to tend to personal obligations. Use of make up time is discretionary and subject to preapproval by the General Manager. Make up time worked will not be paid at an overtime rate.

2410.2 Subject to compliance with this policy, employees may take time off and then make up the time later in the same workweek, or may work extra hours earlier in the workweek to make up for time that will be taken off later in the workweek.

2410.3 Make up time requests must be submitted in writing to your supervisor, with your signature, on the [*DISTRICT*]-provided form. Requests will be considered for approval based on

the legitimate business needs of [DISTRICT] at the time the request is submitted. A separate written request is required for each occasion the employee requests make up time.

2410.4 If you request time off that you will make up later in the week, you must submit your request at least 24 hours in advance of the desired time off. If you request to work make up time first in order to take time off later in the week, you must submit your request at least 24 hours before working the make up time. Your make up time request must be approved in writing before you take the requested time off or work make up time, whichever is first.

2410.5 All make up time must be worked in the same workweek as the time taken off. [DISTRICT]'s seven-day workweek is Sunday through Saturday. Employees may not work more than 40 hours in a workweek as a result of making up time that was or would be lost due to a personal obligation.

2410.6 If you take time off and are unable to work the scheduled make up time for any reason, the hours missed will normally be unpaid. However, your supervisor may arrange with you another day to make up the time if possible, based on scheduling needs. If you work make up time in advance of time you plan to take off, you must take that time off, even if you no longer need the time off for any reason.

2410.7 An employee's use of make up time is completely voluntary and subject to the ability of the District to accommodate the employee. [DISTRICT] does not encourage, discourage, or solicit the use of make up time off.

yy. POLICY TITLE: Salaried Personnel
POLICY NUMBER: 2420

2420.1 All salaried personnel are expected to perform tasks as assigned to meet the needs of the District and their duties may require them to work more than forty (40) hours per workweek from time to time. Salaried and exempt employees do not receive overtime for hours worked in excess of forty (40) hours per workweek or eight (8) hours per workday.

2420.2 Management Days – Salaried personnel shall receive (*to be determined by District*) days of additional leave annually to compensate for additional hours spent on regular or special work or in after hour meetings. Management days shall not accrue from year to year. All preapproved unused Management time shall be paid by December 31 of each year.

zz. POLICY TITLE: Requirements for Reporting to Work
POLICY NUMBER: 2430

2430.1 Employees shall report to work at their regular District facility in accordance with direction from their supervisor or established schedules and shall return thereto at the conclusion of the day's work schedule. Authorized time spent in traveling between such facilities and the job site shall be considered as time worked.

2430.2 An employee who is not able to report to work on schedule shall notify his/her supervisor or other manager immediately of the reason for not being able to report to work and when he/she may expect to return to work.

aaa. POLICY TITLE: Standby and Call Out
POLICY NUMBER: 2440

2440.1 Standby: An employee shall be compensated for standby as follows:

2440.1.1 Weekdays: Guaranteed two (2) hours of straight time at their regular straight time hourly wage rate for each day on standby status.

2440.1.2 Weekends/Holidays: Guaranteed two (2) hours of straight time hours at the regular straight time hourly wage rate for each day on standby status.

2440.2 Call-Back: Any employee, whether on standby or not, called back to work after the regular work shift shall be entitled to call-back compensation as follows:

2440.2.1 Guaranteed three (3) hours at their regular straight time hourly wage rate for each separate call-back occurrence that occurs after return to home or residence.

2440.2.1.1 Said compensation shall be in lieu of any travel time and expense to and from home and the first or last work contact point.

2440.2.2 All time actually worked shall be considered as time actually worked for purposes of compensating overtime in accordance with applicable federal or state law.

bbb. POLICY TITLE: Vacations
POLICY NUMBER: 2500

2500.1 This policy shall apply to regular and probationary employees in all classifications.

2500.2 Paid vacations shall be accrued according to the following schedule on an annual basis:

- (a) During the first year of continuous work, (____) days;
- (b) Two through five years of service, (____) days;
- (c) Six through ten years of service, (____) days;
- (d) After ten years of service, one additional day of paid vacation for each additional year of service to a maximum of 30 days.

2500.3 Employees who have completed six months in regular status may take their vacation time all at once, or gradually, with the prior written approval of their supervisor. No vacation

may be taken until the employee has completed at least six months in regular employee status unless approved by the General Manager in writing.

2500.4 Vacation time may be accumulated or postponed. The total accumulated vacation time shall not exceed that amount earned annually by the employee. Only one week of accumulated vacation may be used in addition to regular vacation time during any given year.

2500.5 At termination of employment for any reason, the District shall compensate the employee for his/her accumulated vacation time at his/her straight time rate of pay at the time of termination.

2500.6 The District will not require an employee to take vacation time in lieu of sick leave during periods of illness. However, the employee may elect to take vacation time in case of extended illness where sick leave has been fully used. The District will not consider granting a leave of absence for medical reasons until all accumulated sick leave and vacation time have been used.

2500.7 If a holiday falls on a workday during an employee's vacation period, that day shall be considered as a paid holiday and not vacation time.

2500.8 Vacations may be scheduled at any time during the year upon written approval of the [*PERSONNEL DIRECTOR or other responsible managing employee*].

2500.9 Vacations are provided by the District to employees as a period of exemption from work with pay for the purpose of rest, relaxation and recreation. This respite is a benefit and is intended as an aid in maintaining the long-term and consistent productivity and contentment of the employee. As such, pay in lieu of vacation time away from work shall not be permitted except in situations of hardship or accumulation in excess of (____) hours. Said pay off shall be submitted for written approval by the General Manager.

ccc. POLICY TITLE: Authorized Leave
POLICY NUMBER: 2510

2510.1 With the approval of the General Manager [*or PERSONNEL DIRECTOR or other responsible managing employee*], an employee may request a leave of absence without pay for a period of up to six months [*shorter or longer period of time optional*].

2510.2 Such leave of absence may be taken only after all accumulated vacation time has been exhausted. If the leave of absence is for medical reasons, then all accumulated sick leave time must also be exhausted before a leave of absence can be granted.

2510.3 Employees will not accrue benefits available to regular employees of the District (e.g., vacation, holiday, or sick leave) during a leave of absence.

2510.4 Due to the District's limited work force, maintenance of job classifications for the term of an authorized leave of absence cannot be guaranteed beyond six months [*shorter period of time optional*]. Employees returning from a leave of absence will be reinstated to the first available job classification for which they are qualified.

ddd. POLICY TITLE: Unauthorized Voluntary Absence
POLICY NUMBER: 2515

2515.1 Voluntary absence from work without permission for five (5) consecutive working days shall be considered an automatic resignation.

2515.1.1 After three consecutive days of voluntary absence from work without permission, the employee shall be notified in writing that the absence will be considered as resignation if it continues consecutively through the fifth working day. Said notice shall provide factual evidence that the employee's absence is voluntary and unauthorized and an invitation to the employee to present his/her version of the "facts" at an informal hearing before the General Manager.

2515.1.1.1 Constructive resignation shall not be determined to have occurred until after the employee has an opportunity to present his/her version of the "facts" at the informal fact-finding hearing.

2515.1.1.2 The fact-finding hearing shall be held within ten (10) days after the end of the five (5) consecutive days of unauthorized voluntary absence.

2515.2 The General Manager [*PERSONNEL DIRECTOR or other responsible managing employee*] may, prior to the informal fact-finding hearing, reinstate the employee who has been voluntarily absent without leave for five consecutive days if the employee provides a satisfactory explanation. If the employee is reinstated after providing a satisfactory explanation, back pay for the period of absence may be disallowed, including the employee's use of vacation or "comp" time to cover the period of absence.

2515.3 If the General Manager determines, as a result of the evidence presented at the fact-finding hearing, that the employee was voluntarily absent without leave and did not have a satisfactory explanation, the employee shall not be entitled to a post-severance evidentiary hearing and the employee's resignation shall be considered to be effective at the end of the fifth consecutive day of his/ her unauthorized voluntary absence.

eee. POLICY TITLE: Sick Leave
POLICY NUMBER: 2520

2520.1 This policy shall apply to probationary and regular employees in all classifications.

2520.2 Sick leave is defined as absence from work due to illness, non-industrial injury, or quarantine due to exposure to a contagious disease. In addition, dentist and doctor appointments

and prescribed sickness prevention measures shall be subject to sick leave provided prior notice is provided to *[SPECIFY DEPARTMENT, POSITION, PERSON, etc.]*.

2520.3 Employees shall earn sick leave at the rate of one working day per month, cumulative to a maximum of 60 days. The determination of total accumulated sick leave days shall be made on January 2 of each year.

2520.4 Each employee may use accrued sick leave, up to half the time accrued per calendar year, as kin care leave, to care for sick immediate-family members. It is provided for those circumstances where the employee must take time off to care for a sick family member, regardless of the seriousness of the illness. Employees should notify their supervisor to the extent feasible in order to avoid disruptions in work schedule as a result of use of kin care time. Family members covered include parents, children and spouses and are defined as follows:

2520.4.1 A “child” means a biological, adopted or foster child, a stepchild, a legal ward or a child for whom an employee has accepted the duties and responsibilities of raising, such as where a grandparent raises his/her grandchild.

2520.4.2 A “parent” means a biological, foster or adoptive parent, a stepparent or legal guardian. Mothers-in-law, fathers-in-law and grandparents are also considered “parents for purposes of this division.

2520.4.3 The term “spouse” is not defined in the legislation mandating kin care, but presumably applies only to an individual to whom the employee is legally married.

2520.5 In order to receive compensation while on sick leave, the employee shall notify his/her supervisor prior to the time for beginning the regular work day, or as soon thereafter as practical.

2520.6 If absence from duty by reason of illness occurs, satisfactory evidence may be required by the *[PERSONNEL DIRECTOR or other responsible managing employee]*.

[OPTIONAL]

2520.7 Unused sick-leave time may be "bought back" by the District at a rate of one-half (½) day *[specify whatever rate your district provides]* for each whole day accrued. Said buy back shall be limited only to time over and above 30 days of accrued sick leave. No more than 12 days of accrued sick leave shall be bought back in any given calendar year unless employment is terminated for non-cause reasons, in which case all accrued sick leave over and above 30 days shall be bought back at said one-half (½) rate. Termination for cause shall result in loss of all accrued sick leave.

fff. POLICY TITLE: Family and Medical Leave
POLICY NUMBER: 2525

2525.1 The purpose of this policy is to clarify how *[name of district]* will implement the Family and Medical Leave Act of 1993 (FMLA). The provisions of the *[title of contract or MOU with union and/or employee association]* shall prevail, notwithstanding the contents of this policy, unless said provisions are in conflict with the FMLA.

2525.2 Eligibility. To be eligible for leave under the FMLA, an employee must have: (1) been employed by *[name of district]* for at least 12 months, which need not be consecutive; (2) worked for *[name of district]* at least 1,250 hours during the 12 months immediately preceding the commencement of leave; and, (3) be employed at a worksite where the District employs at least fifty (50) employees within seventy-five (75) miles of the worksite.

2525.3 Leave Benefit.

2525.3.1 Eligible employees will be provided with up to 12 weeks of unpaid leave each year to care for a newborn, adopted, or foster child or for a seriously ill child, parent, or spouse. In addition, employees who are unable to perform the functions of their position because of a serious health condition will also be entitled to 12 weeks of unpaid leave. "Serious health condition" is defined as an illness, injury, impairment, or physical or mental condition that entails

- (1) inpatient care in a hospital, hospice, or residential medical care facility; or,
- (2) continuing treatment by a health care provider.

2525.3.2 To be eligible for leave under the FMLA, the employee will first be required to use applicable accrued paid leaves permitted by the District, including vacation leave and sick leave for the first part of the 12-week statutory leave. Paid leave may not be added to the end of the 12 weeks of unpaid leave without the General Manager's prior approval. If a husband and wife are both employed by *[name of district]*, the total number of workweeks of leave to which both may be entitled shall be limited to 12 weeks if leave is taken for the birth, adoption, or foster placement of a child or for the purpose of caring for a seriously ill parent.

2525.3.3 Employees on leave who were previously covered by *[name of district]*'s health benefit shall continue to be covered at the level and under the conditions that coverage would have been provided if the employee were continuing to work.

2525.3.4 At the end of the leave the employee will be reinstated to his/her previous position or to an equivalent job with equivalent pay, benefits, and working conditions. However, the employee will not accrue seniority or employment benefits during the leave period. *[Name of district]* may also require the employee to obtain medical certification that they are able to resume work.

2525.4 Employee Obligations

2525.4.1 If an employee requests leave for the birth, adoption, or the foster placement of a child, and the need for leave is foreseeable, the employee must provide his or her

division manager with at least 30 days' prior written notice. However, if the date of the birth, adoption, or foster placement requires that leave begin in less than 30 days, the employee must provide the division manager with as much notice as practicable. If the employee requests leave because of a serious health condition, the employee must provide the division manager with 30- days notice, or with as much notice as practicable.

2525.4.2 Employees seeking leave on account of a serious health condition must provide the division manager with medical certification regarding their condition. The General Manager may require employees to obtain, at *[name of district]'s* expense, a second opinion. If the second opinion differs from the first, the General Manager may require a third opinion from a mutually agreed on health care provider.

2525.4.3 For most leaves, employees will not be permitted to take their leave intermittently or on a reduced-leave schedule without the General Manager's approval. However, intermittent leave or a reduced-leave schedule may, if medically necessary, be taken by the employee because of a serious health condition. An employee who seeks intermittent leave or leave on reduced-leave schedule because of planned medical treatment may be required to transfer temporarily to a different position, with equivalent working conditions, that accommodates recurring periods of leave better than the employee's regular job.

ggg. POLICY TITLE: Pregnancy Disability Leave
POLICY NUMBER: 2530

2530.1 Any female employee planning to take Pregnancy Disability Leave (PDL) should advise their supervisor as soon as possible. The employee should also inform their supervisor when such leave is expected to begin and how long it will likely last. The employee should make arrangements with their supervisor regarding the scheduling of any planned medical treatment or appointments in order to minimize disruption to the operations of *[DISTRICT]*.

2530.2 Upon the request of an employee and recommendation of the employee's health care provider, the employee's work assignment may be modified if necessary to protect the health and safety of the employee and her child.

2530.3 The following conditions also apply:

2530.3.1 PDL begins when ordered by the employee's health care provider. The employee must provide their supervisor with a certification from a health care provider containing:

- a. The date on which the employee became disabled due to pregnancy;
- b. The probable duration of the period or periods of disability; and

- c. A statement that, due to the disability, the employee is unable to perform one or more of the essential functions of her position without undue risk to herself, the successful completion of her pregnancy, or to other persons.
- d. Return to work from PDL will be allowed only when the employee's health care provider endorses a release that must be submitted to the employee's supervisor.

2530.3.2 The duration of the leave will be determined by the employee's health care provider, but in accordance with regulations may be for not more than 88 working days. Regular part-time employees are entitled to leave on a pro rata basis. The 88 working days of available leave includes any period of time for actual disability caused by the employee's pregnancy, childbirth, or related medical condition. This includes leave for severe morning sickness and for prenatal care.

2530.3.3 The employee will remain in paid status while using appropriate accrued leave (sick or vacation) during a PDL to satisfy any disability waiting periods and/or to supplement disability benefits in order to maintain the equivalent of full salary.

2500.3.4 The employee will be in non-paid status after exhaustion of appropriate accrued leave balances or at the employee's election to not use accrued leave benefits.

2530.3.5 During the period of PDL, [DISTRICT] will continue payment of all premiums for employee benefit plans in place at the time the leave begins. [DISTRICT] will also continue the employer contribution for employee benefit premiums as if the employee were not in leave status, as required by law or regulations. The employee must reimburse [DISTRICT] for any portion of benefits they would have paid through payroll deduction. Such reimbursement must be received by [DISTRICT] within 30 days of the date of the invoice or written notification. If [DISTRICT] does not receive the reimbursement from the employee within 30 days, [DISTRICT] can cancel any policies and/or plans for which they have not been reimbursed.

2530.4 Under most circumstances, upon submission of a medical certification that an employee is able to return to work from a PDL, an employee will be reinstated to her same position held at the time the leave began or to an equivalent position, if available. An employee returning from a PDL has no greater right to reinstatement than if the employee had been continuously employed.

hhh. POLICY TITLE: Military Leave
POLICY NUMBER: 2535

2535.1 Military leave is a form of a personal leave of absence subject to federal and state applicable laws and regulations. Leaves of absence and re-employment resulting from service in the National Guard or U.S. Military Armed Forces will be in accordance with applicable state and federal laws. A copy of the applicable, official military orders for training or active duty must accompany an employee's request for a leave of absence.

2535.2 An employee who is assigned to an U.S. Military Armed Forces Reserve organization and is subject to active or inactive duty training will be granted leaves of absence without pay, generally for up to two (2) weeks per calendar year unless additional time is approved by [*General Manager or Board of Directors*].

2535.3 The following conditions also apply: The employee may remain in paid status while using appropriate accrued leave balances (vacation) to supplement his/her military pay to maintain the equivalent of full salary.

iii. POLICY TITLE: Bereavement Leave
POLICY NUMBER: 2540

2540.1 This policy shall apply to probationary and regular employees in all classifications.

2540.2 In the event of a death in the immediate family, an employee may be granted a paid leave of absence not to exceed three days. This is in addition to regular sick leave and vacation time. Verification may be required by the Personnel Director [*or other responsible managing employee*].

2540.3 "Immediate family" is defined as being spouse, parents, children, brother, sister, grandparents, father-in-law, mother-in-law, sister-in-law, brother-in-law or any other person who is a legal dependent of the employee.

jjj. POLICY TITLE: Workers' Compensation Leave
POLICY NUMBER: 2545

2545.1 If an employee is injured at work and is temporarily unable to perform his or her usual and customary work, the employee will be allowed to take an unpaid leave of absence while receiving workers' compensation benefits. Certification from a recognized medical professional confirming the necessity of the leave must be provided to [*DISTRICT*] within fourteen (14) days after the leave begins. The duration of the leave will be determined on a case-by-case basis, considering both the injured employee's medical condition and [*DISTRICT*] business needs.

2545.2 The employee may elect during such absence to apply sick leave on a prorated basis to such absence and receive compensation in an amount equal to the difference between compensation received as regular salary and the amount received as Workers' Compensation benefits, not to exceed the amount of available accrued sick leave. Similarly, the employee may elect to use any accrued paid leave time and accrued time off after the sick leave is exhausted.

2545.3 The employee may return to work only after a recognized medical professional certifies that the employee is capable of resuming all of the essential functions of the employee's position. [*DISTRICT*] may, in its discretion, provide modified or light duty work if the employee's release contains such limitation. If the employee has been released without limitation, the employee will be offered the same position he or she held previously, unless the job no longer exists or has been

filled so that [DISTRICT] can operate safely and efficiently or the employment relationship has otherwise been terminated.

2545.4 Workers' compensation leave will run concurrently with any family and medical leave. During the period of leave, [DISTRICT] will continue payment of all premiums for employee benefit plans in place at the time the leave begins. [DISTRICT] will also continue the employer contribution for employee benefit premiums, as if the employee were not in leave status, for the duration of the leave. The employee must reimburse [DISTRICT] for any portion of benefits they would have paid through payroll deduction. Such reimbursement must be received by [DISTRICT] within 30 days of the date of the invoice or written notification. If [DISTRICT] does not receive the reimbursement from the employee within 30 days, [DISTRICT] can cancel any policies and/or plans for which they have not been reimbursed.

kkk. POLICY TITLE: Leave for Crime Victims and Family Members
POLICY NUMBER: 2550

2550.1 An employee who is a victim of a crime, a member of a crime victim's immediate family (spouse, child, stepchild, sibling, stepsibling, parent, or stepparent), a registered domestic partner of a crime victim, or the child of a registered domestic partner of a crime victim shall be allowed to be absent from work in order to attend judicial proceedings related to that crime, subject to the District's General Manager determining that work requirements may be maintained during the absence.

2550.2 "Victim" means a person against whom one of the following crimes has been committed:

1. A violent felony, as defined in subdivision (c) of Section 667.5 of the Penal Code;
2. A serious felony, as defined in subdivision (c) of Section 1192.7 of the Penal Code;
- or
3. A felony provision of law proscribing theft or embezzlement.

2550.3 Prior to an employee being absent from work, the employee must provide the District with a copy of the official notice provided to the victim of each scheduled proceeding.

2550.4 An employee absent from work to attend a scheduled proceeding may elect to use accrued vacation leave, sick leave, compensatory time off, or unpaid leave time.

2550.5 The District shall keep confidential any records regarding an employee's absence from work pursuant to this Policy.

III. POLICY TITLE: Catastrophic Time Bank
POLICY NUMBER: 2553

This policy is applicable only to non-exempt employees, both as to use of and donation to a

catastrophic time bank.

2553.1 At the discretion of the General Manager, employees will be permitted to transfer eligible leave credits to a time bank to be used by an employee when a non-work related catastrophic illness or injury occurs.

2553.1.1 Definitions used in the application of this rule:

1. Catastrophic illness or injury is defined as a non-work related illness or injury which is expected to incapacitate an employee and which creates a financial hardship because the employee has exhausted all of his/her sick leave and other paid time off.
2. A time bank is one or more hours of leave credit donated by one or more employees to another employee who has been incapacitated by a catastrophic illness or injury.
3. Eligible leave credits include vacation and/or compensating time off (CTO). They do not include sick leave.

2553.1.2 A time bank for catastrophic illness or injury may be established:

1. Upon the request of an employee;
2. Upon determination by the General Manager that the employee in the District is unable to work due to the employee's catastrophic illness or injury; and
3. That the employee has exhausted all paid leave credit.

2553.1.3 If a time bank is established, any employee may, upon written notice to the Administrative Services Manager, donate eligible leave credits in one-hour increments, up to a maximum of 40 hours in a one year period, to the time bank. Donations will be reflected as an hour for hour deduction from the leave balance of the donating employee. When transferring leave credits into a time bank, the District will assure that only credits that may be needed are transferred. The employee donating the hours shall remain responsible for any applicable taxes or other expenses for the used hours.

2553.1.4 In order to receive time from the time bank, an employee must provide appropriate verification of illness or injury as determined by the District. The employee for whom the time bank is established will have any time which is donated to the time bank transferred to his account in one hour increments for use as sick leave only. Donated credits will be reflected as an hour-for-hour addition to the leave balance of

the receiving employee. The total amount of leave credits donated may not exceed an amount sufficient to insure the continuance of regular compensation. An employee who receives time through this program shall use any leave credits he continues to accrue on a monthly basis prior to receiving time from the time bank.

2553.1.5 Use of time from the time bank may not be used to augment benefits received due to a work-related injury or illness.

mmm. POLICY TITLE: Time Off for Children - School Activities
POLICY NUMBER: 2555

2555.1 California Law allows a parent or guardian to take up to a total of 40 hours of time off each calendar year (but no more than 8 hours in one month) without pay to participate in their children's activities at school (grades K through 12) or licensed day care. The absence is subject to all of the following conditions:

2555.1.1 Employees planning to take time off for school visitations must provide as much advance notice as possible and all requests must be approved by the employee's supervisor;

2555.1.2 If both parents are employed by [*DISTRICT*], the first employee to request such leave will receive the time off. The other parent will receive the time off only if the leave is approved by his or her supervisor;

2555.1.3 Employees must use accrued vacation or compensating time off in order to receive compensation for this time off;

2555.1.4 Employees who do not have accrued vacation time or compensatory time off available will take the time off without pay.

2555.2 Suspension

If an employee who is the parent or guardian of a child facing suspension from school is summoned to the school to discuss the matter, the employee should alert his or her supervisor as soon as possible before leaving work. In compliance with California Labor Code Section 230.7, no discriminatory action will be taken against an employee who takes time off for this purpose.

2555.2.1 Employees must use accrued vacation or compensating time off in order to receive compensation for this time off;

2555.2.2 Employees who do not have accrued vacation time or compensatory time off available will take the time off without pay.

nnn. POLICY TITLE: Time Off to Vote
POLICY NUMBER: 2560

2560.1 [*DISTRICT*] believes that it is the responsibility and duty of employees to exercise the privilege of voting in federal, state or local governmental elections. In accordance with this

philosophy, the [DISTRICT] will grant its employees advance arranged and approved time off to vote and for periods of service as an election official.

2560.2 All employees should be able to vote either before or after regularly assigned work hours. However, when this is not possible due to work schedules, managers are authorized to grant a reasonable period of time, up to three hours, during the work day to vote. Time off for voting should be coordinated to occur at the beginning or end of a work shift where possible and reported and coded appropriately on timekeeping records.

ooo. POLICY TITLE: Jury Duty
POLICY NUMBER: 2565

2565.1 This policy shall apply to probationary and regular employees in all classifications.

2565.2 An employee summoned for jury duty will immediately notify his/her immediate supervisor [*or other responsible managing employee*].

2565.3 While serving on a jury, an employee will be given a paid leave of absence for the duration of said jury duty. Said leave of absence is conditional upon the employee returning to work upon dismissal each day to complete his/her remaining normal workday. It is also conditional upon the employee's conveyance to the District of any compensation received as a juror, not including any travel allowance received.

ppp. POLICY TITLE: Subpoena Responsibilities
POLICY NUMBER: 2570

2570.1 District Service. A regular full-time employee absent from work because of a subpoena to appear as a witness for the District shall not be entitled to witness fees from the District, but shall be deemed to be in District service and entitled to his/her usual compensation for the time spent in going to, attending, and returning from a court appearance or approved legal consultations.

2570.2 Other Service. A regular full-time employee subpoenaed to appear on behalf of any party other than the District shall be deemed absent from District service and shall not be entitled to his/her usual compensation during the time of absence, unless the employee, with prior authorization, uses compensatory time and/or accrued vacation time. At the time of service of the subpoena, the employee should request the witness fee and mileage provided for by law, which the employee may retain.

qqq. POLICY TITLE: Drug and Alcohol Abuse
POLICY NUMBER: 2600

2600.1 It is the desire of the Board of Directors that all work environments of District employees be safe and productive and free of the influence of drugs, alcohol and/or other controlled substances. The Board of Directors is concerned with the physical safety of all employees, potential damage to property and equipment, mental and physical health of employees, productivity and work quality, medical insurance costs, and the harm done to employees and their families by the inappropriate use of controlled substances.

2600.2 The use (except as prescribed by a physician), sale, possession, purchase, or transfer of drugs, alcohol and/or other controlled substances by any District employee or officer on District property or work sites or while said employee or officer is on District business is prohibited.

2600.2.1 Employees are also prohibited from being under the influence of drugs, alcohol and/or other controlled substances during hours of work where such substances could impair the fitness of an employee to perform his/her work.

2600.2.2 Commission of any of the actions described above will subject the employee to disciplinary action up to and including termination.

2600.2.3 For the purpose of applying this policy, being under the influence of drugs, alcohol and/or other controlled substances means being impaired in any way from fully and proficiently performing job duties and/or having a detectable amount of said substances in one's body.

2600.3 The decision to discipline or terminate an employee found to have used and/or be under the influence of drugs, alcohol and/or other controlled substances during working hours may be waived or held in abeyance by the General Manager [*or other authorized administrator*] pending said employee's attempt at rehabilitation. The General Manager [*or other responsible managing employee*] has discretion to handle each case individually with factors such as the employee's frequency of use, commitment to rehabilitation, and type of substance taken into consideration regarding the waiving of penalties.

2600.3.1 Discipline or termination that is waived or held in abeyance pending rehabilitation should be done on the condition, set forth in writing, that the employee:

2600.3.1.1 Successfully complete an approved rehabilitation program;

2600.3.1.2 Faithfully comply with maintenance and therapeutic measures (e.g., attendance at AA or NA meetings); and,

2600.3.1.3 Be subject to periodic testing without further reasonable cause.

2600.3.2 Employees who are found to have brought drugs, alcohol or other non-prescription controlled substances onto District property or work sites and to have provided them to other employees shall be terminated without recourse to a rehabilitation program.

2600.3.3 Discipline or termination should not be taken until a thorough investigation has been completed.

2600.4 To assure that employees, property and equipment are not endangered by other employees who are involved with, or under the influence of drugs, alcohol and/or other controlled substances, any employee whose conduct, appearance speech or other characteristics create a reasonable suspicion of involvement with, or influence of said substances will be taken to a medical facility and be subject to an exam by a qualified physician at District expense. If said physician determines that a drug/alcohol test is warranted, said employee will be subject to testing for the presence of alcohol or drugs in their bodies.

2600.4.1 Presence of such substances will result in disciplinary action up to and including termination, as described above.

2600.4.2 An employee who is suspected of involvement as described above and refuses to cooperate in the physician's exam and/or drug/alcohol testing is subject to termination.

2600.5 If a qualified physician, as a part of the examination specified in Section 2600.4, above, determines that an employee is not capable of working safely, said employee will be transported to his/her home by a supervising employee and not allowed to drive himself/herself home.

2600.6 Immediately prior to reporting for drug/alcohol testing, all employees shall complete a Consent and Release form to be kept on file in the District office which shall conform to the general format, as shown on Appendix A.

2600.7 District employees are required to notify the General Manager [*or other responsible managing employee*] in writing of any criminal drug statute of which they are convicted for a violation occurring in the workplace no later than five calendar days after such conviction.

rrr. POLICY TITLE: Use of Tobacco Products Within District
POLICY NUMBER: 2610

2610.1 Ample research exists demonstrating the health hazards of the use of tobacco products, including smoking and the breathing of second-hand smoke. Therefore, in the best interest of the health and safety of employees and the general public, the smoking of tobacco products shall be banned completely within District buildings or confined spaces, or in District vehicles.

2610.1.1 The successful implementation of this policy depends upon the thoughtfulness, consideration and cooperation of smokers and non-smokers. All individuals on District premises share in the responsibility of adhering to this policy.

2610.2 All District employees will be responsible for advising members of the public who are observed smoking tobacco products on District property of the District's policy on the matter. Said individuals shall be asked by staff to refrain from smoking.

2610.2.1 Members of the public who refuse to comply with this policy may be directed by [specify District employees who may make this decision] to leave District property.

2610.3 District employees who violate this policy will be subject to disciplinary action in accordance with Policy #2260.

sss. **POLICY TITLE:** **Smoke-free Workplace**
 POLICY NUMBER: **2615**

2615.1 Smoking is prohibited within the buildings, facilities and vehicles of [*DISTRICT NAME*]. Those who smoke are requested to do so outdoors away from entrances or windows of buildings.

2615.2 Extra care should be taken when working around combustible materials, or out in the field near equipment or supplies.

2615.2.1 Personnel who smoke in the field should use extreme caution and dispose of cigarettes in a responsible and safe manner, not littering or throwing residual parts on the ground or street or areas of drains, etc.

2615.3 Smoking is allowed in non-district vehicles and on district properties as long as it is not a safety hazard. If employees observe unsafe activity involving smoking, they should bring it to the attention of the person and attempt to gain voluntary compliance to terminate the smoking activity. If the party refuses to cooperate, employee should inform his/her supervisor to take added action.

ttt. **POLICY TITLE:** **Drug-Free Workplace**
 POLICY NUMBER: **2620**

2620.1 The Butte County RCD will publish a drug-free workplace statement and provide a copy to each employee who will be engaged in the performance of this subaward. This statement must:

2620.1.1 Tell all employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in its workplace;

2620.1.2 Specify actions the subrecipient will take against employees for violating that prohibition; and,

2620.1.3 Let each employee know that, as a condition of employment under any instrument, he or she:

2620.1.3.1 Must abide by the terms of the statement, and

2620.1.3.2 Must notify you in writing if he or she is convicted for a violation of a criminal drug statute occurring in the workplace, and must do so no more than five calendar days after the conviction.

2620.2 The Butte County RCD will establish an ongoing drug-free awareness program to inform employees about:

2620.2.1 The dangers of drug abuse in the workplace;

2620.2.2 Your policy of maintaining a drug-free workplace;

2620.2.3 Any available drug counseling, rehabilitation and employee assistance programs; and,

2620.2.4 The penalties that you may impose upon them for drug abuse violations occurring in the workplace.

2620.3 The policy statement and program will be in place as soon as possible, no later than the 30 days after the Board's approval of this policy.

2620.4 The Butte County RCD agrees to notify federal grant funding agencies that require a Drug Free Workplace Policy if an employee is convicted of a drug violation in the workplace. The notification must be in writing, identify the employee's position title, and the subaward agreement number on which the employee worked. The notification will be sent to the grant funding agencies within ten calendar days after the Butte County RCD learn(s) of the conviction.

2620.5 Within 30 calendar days of learning about an employee's conviction, the Butte County RCD will:

2620.5.1 Take appropriate personnel action against the employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973 (29 U.S.C. 794), as amended, or

2620.5.2 Require the employee to participate satisfactorily in drug abuse assistance or rehabilitation program approved for these purposes by a Federal, State or local health, law enforcement, or other appropriate agency.

uuu.

**POLICY TITLE: Internet, E-mail, and Electronics
Communication Ethics, Usage and Security**

POLICY NUMBER: 2700

2700.1 The Butte County RCD believes that employee access to and use of the Internet, e-mail, and other electronic communications resources benefits the District and makes it a more profitable and successful local public agency. However, the misuses of these resources have the potential to harm the District's short and long-term success.

2700.2 The District has established this ethics, usage, and security policy to ensure that all District employees use the computer resources, which the District has provided its employees, such as the Internet and e-mail, in an ethical, legal, and appropriate manner. This policy defines acceptable and unacceptable use of the Internet, e-mail, and other electronic communications.

2700.3 This policy also establishes the steps the District may take for inappropriate use of the Internet and e-mail. All employees must read and adhere to the guidelines and policies established herein. Failure to follow this policy may lead to discipline, up to and including immediate termination.

2700.3.1 Employees shall not use the Internet or e-mail in an inappropriate manner. Inappropriate use of the internet and e-mail includes, but is not limited to:

2700.3.1.1 Accessing internet sites that contain pornography, exploit children, or would generally be regarded in the community as offensive, or for which there is no official business purpose to access.

2700.3.1.2 Participating in any profane, defamatory, harassing, illegal, discriminatory, or offensive activity or any activity that is inconsistent in any way with the District's policies (i.e. policy on sexual harassment).

2700.3.1.3 Exploiting security weaknesses of the District's computing resources and/or other networks or computers outside the District.

2700.3.1.4 Internet access is to be used for District business purposes only. Employees who have completed all job tasks should seek additional work assignments. Use of the Internet should not interfere with the timely and efficient performance of job duties. Access to the Internet and e-mail is not a benefit of employment with the District. (Personal use of the Internet, e-mail, and other electronic communications is strictly prohibited.)

2700.3.2 Employees do not have any right to privacy in any District computer resources, including internet sites visited, downloads and e-mail messages produced, sent, or received by District computers or transmitted via the District's servers and network. Employee access to the Internet and e-mail is controlled by use of a password. The existence of a password does not mean that employees should have any expectation of privacy. Employees must disclose their passwords to the District upon request, and the District will maintain a file of all passwords currently in use. The District may monitor the contents of all e-mail messages to promote the administration of the District, its business, and policies.

2700.3.3 Employees access to and use of the Internet, e-mail, and other electronic communications will be monitored frequently. Failure to follow the policy may lead to discipline, up to and including immediate termination. Disciplinary action may include the removal of Internet and e-mail access from their computer or termination of employment with the District.

2700.3.4 The Internet and e-mail provide means by which employees of the District may communicate with its customers (general public). Messages to or from customers through the District's e-mail system may be considered part of the District's public business records and should be treated as such.

2700.3.5 Deleting an e-mail message does not necessarily mean the message cannot be retrieved from the District's computer system. For a specific period of time, the District retains backup copies of all documents, including e-mail messages, produced, sent, and received on the District's computer system.

2700.3.6 E-mail and any attachments are subject to the same ethical and legal concerns and standards of good conduct as memos, letters, and other paper-based documents. E-mail can be forwarded to others, printed on paper, and is subject to possible discovery during lawsuits in which the District may be involved.

2700.3.7 Currently all District e-mail being sent is not encrypted. Unencrypted electronic mail is not a secure way of exchanging information or files. Due to the way Internet data is routed, all messages are subject to "eavesdropping." Messages may be "stolen" as they temporarily reside on host machines waiting to be routed to their destination, or they may be purposefully intercepted from the Internet during transfer to the recipient. It is possible for someone other than the intended recipient to capture, store, read, alter/or re-distribute your message. Do not transmit information in an electronic mail message that should not be written in a letter, memorandum, or document available to the public.

2700.3.8 E-mail, once transmitted, can be printed, forwarded, and disclosed by the receiving party without the consent of the sender. Use caution in addressing messages to ensure that messages are not inadvertently sent to the wrong person.

2700.3.9 Use of electronic mail or the Internet to distribute copyrighted materials is prohibited.

2700.3.10 Each user should take the necessary steps to prevent unauthorized disclosure of confidential or privileged information. (This is especially important for law firms and accounting firms that have strict professional ethical obligations and duties toward their clients.)

2700.3.11 Use of electronic mail or the Internet to send offensive messages of any kind is prohibited.

2700.3.12 Use of electronic mail or the Internet for inappropriate or unauthorized advertising and promotion of the District is prohibited.

2700.3.13 When District employees communicate using electronic mail or other features of the Internet, the employee must be extremely mindful of the image being portrayed of the District.

2700.3.14 Computer viruses can become attached to executable files and program files. Receiving and/or downloading executable files and programs via electronic mail or the Internet without express permission of the Systems Administrator is prohibited. This includes, but is not limited to, software programs and software upgrades. This does not include e-mail and/or documents received via e-mail and the Internet. All downloaded files must be scanned for viruses.

2700.3.15 Use of another user's name/account, without express permission of the Systems Administrator, to access the Internet is strictly prohibited.

2700.3.16 Personal use of the District's computer resources for personal commercial activity or any type of illegal activity is strictly prohibited.

2700.3.17 It is advisable for all employees of the District to remind customers/clients/contractors of these security issues when sending confidential electronic mail and/or documents to the District via electronic mail. If applicable, our customer/clients/contracts should be reminded to implement a security policy and make sure their employees understand the ramifications of sending privileged information via electronic mail. (This is especially important for law firms and accounting firms that have strict professional ethical obligations and duties toward their clients.)

2700.3.18 The District will not be responsible for maintaining or payment of personal Internet accounts or related software. To maintain the integrity and firewall protection of the District's network system, telephone system, modem pool, or communication server to access the Internet.

2700.3.19 E-mail that users need to retrieve from their personal Internet account must be retrieved via that User's personal Internet account. District users shall not access such personal e-mail account using the District's network system, telephone system, modem pool, or communication server.

2700.3.20 Employees will only access the Internet through the District's network. Internet access through other methods (i.e. modems) will not be allowed, unless specifically authorized by the Director of Information Technology.

2700.3.21 Employees will only access the Internet using the approved Internet browser (Internet Explorer). Any other browser being used on a workstation will be promptly removed.

2700.3.22 Employees will respect all copyright and license agreements regarding software or publication they access or download from the Internet. The District will not condone violations of copyright laws and licenses and the employee will be personally liable for any fines or sanctions caused by the license or copyright infringement. Any software or publication, which is downloaded onto District computer resources, becomes the sole property of the District.

2700.3.23 Employees will only download information and/or publications for official business purposes.

2700.3.24 Employees are to scan all downloaded materials before using or opening them on their computers to prevent the introduction of computer viruses.

2700.3.25 All list subscriptions should be for business purposes only. The employee will make sure List Servers are notified when the employee leaves the District.

2700.4 Employee Acceptance. By signing this agreement, I hereby represent that I have read, understand, and agree to the District’s Internet, e-mail, and electronic communications ethics, usage, and security policy.

Date

Signature

Print name here

vvv. **POLICY TITLE: Equal Opportunity**
POLICY NUMBER: 2800

2225.1 The District employs persons having the best available skills to efficiently provide high quality service to the public.

2800.2 The District provides equal opportunity for all persons in all aspects of employment, including recruitment, selection, promotion, transfer, training, compensation, educational assistance, benefits, discipline, working conditions, reduction in force, reinstatement, and all other matters of employment.

2800.2.1 Such equality of opportunity shall be based solely on job related knowledge, skills, and job performance, and shall be without discrimination because of race, color, religion, national origin, sex, age, sexual orientation, handicap, veteran status, or any other factor unrelated to job performance.

www. POLICY TITLE: Immigration Law Compliance
POLICY NUMBER: 2815

2815.1 [*DISTRICT*] employs only United States citizens and non-citizens who are authorized to work in the United States. [*DISTRICT*] does not unlawfully discriminate on the basis of citizenship or national origin. In compliance with the Immigration Reform and Control Act, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form (I-9) and present documentation establishing identity and employment eligibility no later than three (3) days following date of hire. If appropriate documentation is not received within this time, the employment relationship will be terminated.

xxx. POLICY TITLE: Sexual Harassment
POLICY NUMBER: 2825

2825.1 Acts of sexual harassment by employees, supervisors, or managers, are prohibited employment practices and are subject to sanctions and disciplinary measures, up to and including termination of employment.

2825.2 Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

2825.2.1 Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment.

2825.2.2 Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual.

2825.2.3 Such conduct has the purpose or effect of substantially interfering with a person's work performance or creating an intimidating, hostile or offensive work environment.

2825.3 Prohibited acts of sexual harassment can take a variety of forms ranging from unwanted verbal or physical actions, subtle pressure for sexual activity to physical assault. Examples of the kinds of conduct included in the definition of sexual harassment are:

2825.3.1 Direct or indirect threats or suggestions of sexual relations or sexual contact which is not freely or mutually agreeable to both parties.

2825.3.2 Continual or repeated verbal abuses of a sexual nature including graphic commentaries on the person's body; sexually suggestive objects or pictures placed in the

work area that may embarrass or offend the person; sexually degrading words to describe the person, or propositions of a sexual nature.

2825.4 Policy Publicizing. All employees shall be informed of the District's sexual harassment policy and complaint process prior to their need to know, and again when any complaint is filed. Also, said policy and complaint process shall be readily available to all employees and members of the general public utilizing the District's facilities and services.

2825.4.1 All new employees shall be given a copy of the sexual harassment policy at the time of hiring and said policy's contents shall be discussed with said employee at that time by the division manager within whose division they will be working.

2825.4.2 An annual bulletin shall be prepared and distributed to all employees informing them of the District's sexual harassment policy.

2210.5 Within three working days after any complaint has been filed in accordance with this policy, a bulletin shall be prepared and distributed to all employees reinforming them of the District's sexual harassment policy.

2825.6 Complaint Process. Any employee who believes he/she is the victim of sexual harassment may file a formal or informal confidential complaint without fear of reprisal or embarrassment.

2825.6.1 An informal complaint is made verbally by the employee to the immediate supervisor. Although filing the complaint with the immediate supervisor is preferred, the employee is free to file a complaint with any supervisory employee.

2825.6.2 A formal complaint is made in writing, using the "Employee Grievance Form," see "Appendix A" in Policy #2180. Said form should be submitted by the employee to their immediate supervisor. Although submitting the formal complaint with the immediate supervisor is preferred, the employee is free to submit a formal complaint with any supervisory employee, or with the President of the Board of Directors if the employee's immediate supervisor is the General Manager and the General Manager is unavailable or personally involved in said complaint.

2825.7 Complaint Response Process. Any supervisory employee who receives a formal or informal sexual harassment complaint shall at all times maintain the confidentiality of the plaintiff and shall personally deliver said complaint immediately and directly to the division manager, or to the General Manager if the division manager is unavailable or personally involved in said complaint.

2825.7.1 Within 24 hours of the filing of a formal or informal complaint, even if it is withdrawn, an investigation shall be conducted by the manager of the division, in cooperation with the Personnel Manager, within which the alleged harassment occurred.

Said investigation shall be conducted by the General Manager if the division manager is unavailable or personally involved in said complaint.

2825.7.2 A written record of any investigation of an alleged sexual harassment shall be maintained. Findings will be sent to the General Manager. The General Manager shall immediately inform, in total confidentiality, the Personnel Committee of the Board if one exists or the entire Board of Directors.

2825.7.3 All discussions resulting from said investigation shall be kept confidential by all informed of said investigation.

2825.7.4 The person initiating the complaint has the right to be accompanied by an advocate(s) when discussing alleged incidents. Said person shall be advised of this right prior to the commencement of such discussions.

2825.8 Disciplinary Procedures and Sanctions. Upon conclusion of the investigation of an alleged sexual harassment, appropriate action shall be taken by the General Manager against the harasser where sexual harassment is found, including mandatory sexual harassment training to prevent future incidents. Whatever punishment is meted out to the harasser shall be made known to the victim of the harassment.

2825.8.1 Appropriate action shall be taken to remedy the victim's loss, if any, resulting from the harassment. Making the employee whole may involve reinstatement, back pay, promotion, etc.

2825.8.2 Action taken to remedy a sexual harassment situation shall be done in a manner so as to protect potential future victims. An employee involved in a confirmed incident shall be removed from supervision of a person verified to have committed a harassment activity.

2825.8.3 Employees complaining of sexual harassment shall be protected thereafter from any form of reprisal and/or retaliation.

yyy. **POLICY TITLE:** **Job Description – Executive Secretary**
POLICY NUMBER: **2906**

2906.1 Under supervision of the District Manager: acts as Secretary to the Board of Directors, District Accountant, District Treasurer and District Clerk, all subject to annual appointment by the Board.

2906.1.1 The Executive Secretary serves as secretary to the District Manager; attends to administrative detail on special matters assigned by the District Manager; composes correspondence on own initiative on matters not requiring personal attention of the District Manager; writes reports and letters; and, acts as office manager in the absence of the District Manager.

2906.1.2 The Executive Secretary prepares agenda and attends meetings of the Board of Directors; transcribes and edits minutes; prepares drafts of agenda items requiring action by the Board; gives information to organizations, employees, customers and the general public regarding Board matters; and, prepares correspondence and maintains files on official actions of the Board and the District Manager.

2906.1.3 The Executive Secretary acts as District Treasurer, being responsible, under the direction of the District Manager, for depositing, withdrawing, transferring and investing District funds, maintaining efficient fiscal practices to maximize non-operational earnings, and maintaining cash flow for needed liquidity; and, makes deposits and withdrawals.

2906.2 Required Qualifications. He/she must possess four years of increasingly responsible clerical and secretarial experience, and in keeping or reviewing accounting or fiscal records (equivalent job-related education in accounting may be substituted for a maximum of two years of experience on the basis of nine semester units of accounting for one year of experience).

2906.2.1 He/she must have completed 12 semester hours of professional accounting (one year of additional qualifying experience may be substituted for the education requirement), and the equivalent to completion of high school (grade 12).

2906.2.2 He/she shall possess a valid California driver's license.

2906.3 Desirable Qualifications. He/she should have knowledge of: modern office methods, practices and equipment; and techniques of business letter and report writing.

2906.3.1 He/she should have the ability to: perform responsible clerical and secretarial duties and independently take care of administrative detail; compose correspondence independently or from general directions; take, transcribe and edit Board material and minutes quickly and accurately; type at a speed of not less than sixty (60) words per minute from clear copy; and, maintain cooperative relationships with those contacted in the course of work.

2906.3.2 He/she should have the ability to: plan, organize and supervise the work of others in the performance of financial record-keeping and general clerical work; express ideas and give instructions effectively; apply rules and regulations to specific cases; analyze data and draw logical conclusions; and, take the lead and become a primary source of reference for assigned areas of responsibility.

2906.3.3 He/she should have thorough knowledge of the principles and practices of financial record-keeping, basic principles of accounting, computerized accounting and principles of effective supervision.

zzz. POLICY TITLE: Job Description – District Manager

POLICY NUMBER: 2950

2950.1 Description. The District Manager is the Executive Officer of the District and for the Board of Directors. He/she administers the District and has exclusive management and control of the operations and works of the District, subject to approval by the board of Directors, and provides day-to-day leadership for the District. He/she has general charge, responsibility and control over all property of the District.

2950.1.1 He/she attends all meetings of the District's Board and such other meetings as the Board specifies from time to time.

2950.1.2 He/she employs such assistants and other employees as he/she deems necessary for the proper administration of the District and the proper operation of the works of the District, in accordance with **Policy #2150, "Compensation,"** subject to approval by the Board of Directors. He/she shall delegate authority at his/her discretion and has authority over and directs all employees, including terminating for cause or lack of worthwhile work. His/her personnel management goal will be to provide a motivating work climate for District employees.

2950.1.3 He/she maintains cordial relations with all persons entitled to the services of the District, and attempts to resolve all public and employee complaints. He/she shall encourage citizen participation in the affairs of the District.

2950.1.4 He/she seeks to carry into effect the expressed policies of the Board of Directors, including planning the short, medium and long term work program for the District, facilitating constructive and harmonious Board relations. He/she shall translate the goals and objectives of the Board to the community.

2950.1.5 He/she shall prepare and manage the District budget, conducting studies, making oral and written presentations.

2950.2 Required Qualifications. He/she shall possess a bachelors degree in public administration or a related field and shall have five years experience in an increasingly responsible public agency management position. He/she shall possess a valid California drivers license.

2950.3 Desirable Qualifications: possession of a masters degree in public administration or a related field; the ability to efficiently prepare annual budgets and long-term revenue/ outlay plans; the ability to effectively communicate, both written and verbal, with the constituents and other agency personnel; and the ability to meet and serve the public courteously and efficiently.