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November 22, 2021

Board of Directors
Triunfo Water & Sanitation District
Ventura County, California

TRIUNFO WATER & SANITATION DISTRICT (TWSD) MANAGEMENT AND OTHER UNREPRESENTED EMPLOYEES RESOLUTION NO TWSD 2021-006

Summary

On September 1, 2020, the Triunfo Water & Sanitation District (District) Board approved TWSD Employee Resolution No. TWSD 2020-007. This interim resolution established salaries & benefits pending final organizational development. The resolution was referenced in the Core Management Contracts and it was the basis for hiring the Administrative and Finance staff that included the Clerk of the Board, Accountant, and three Accounting Technicians. The resolution was intended to be a companion document to the Core Management Contracts pending the development of a more detailed and comprehensive Employee Resolution.

Attached is Resolution No. TWSD 2021-006, Management and Other Unrepresented Employees Resolution including Exhibit 1-Classification Plan, and Exhibit 2-Employee Policy Manual.

- The Resolution establishes the detailed framework and methodology for providing benefits for all District staff. In addition, it describes benefits eligibility, levels of compensation, various paid leave, and distinguishes the various employee classifications.
- Exhibit 1-Classification Plan identifies the job titles employed in the classifications that are covered by the Resolution. In addition, the Classification Plan also includes five (5) additional job classifications, eight (8) additional employees estimated to come on board July 1, 2022, in support of the Ventura Regional Sanitation District contract for Operations and Maintenance expiring on June 30, 2022. The Classification Plan is an integral part of the resolution.

- Exhibit 2-TWSD Employee Policy Manual outlines the benefits, policies, practices, and procedures. The Manual identifies in more detail the Board and Management expectations in regards to the TWSD employees. The Manual is referenced and is also an integral part of the Resolution.

On October 21, 2021, staff met with the Personnel Committee (Committee) to discuss the Management and Other Unrepresented Employees Resolution No. 2021-006. Exhibit 1- Classification Plan and Exhibit 2- Employee Policy Manual were subsequently scheduled to be reviewed at the November 11, 2021 Personnel Committee meeting pending finalization of the Classification and Compensation Study and the Employee Policy Manual.

On November 11, 2021, staff met with the Committee to provide a brief summary of the October 21 Personnel Committee meeting, discuss Exhibit 1-Classification Plan and Exhibit 2-Employee Policy Manual. In addition, Juneteenth Holiday that was recently approved as a Federal Holiday was also discussed. Finally, the Committee also suggested starting VRSD employees transferring to TWSD maintain paid leave accrual rates the same as their VRSD leave accrual prior to joining TWSD. The Committee recommended to move these items as well as Resolution No. 2021-006 together with the Exhibits and Classification and Compensation Study to the full Board for review and approval at the November 22, 2021 Board meeting.

Resolution No. TWSD 2021-006 supersedes interim Resolution No. TWSD 2020-007 adopted by the District Board on September 1, 2020.

Legal Counsel reviewed Resolution No. TWSD 2021-006 including the Exhibits and has approved it as to form and content.

Please contact me at 805-658-4649 or email vickiedragan@triumfowsd.com if you have any questions or need additional information.

Recommendation

It is recommended the Board:

- A. Discuss and approve the TWSD Management and Other Unrepresented Employees Resolution No. TWSD 2021-006 which includes Exhibit 1 and 2;
- B. Consider adopting the Juneteenth as an additional paid District holiday and direct the Director of Finance, if approved, to include the Juneteenth in the Employee Resolution;
- C. Approve and direct the Finance Director to:
 - a. Establish leave accrual rates for the transferred VRSD employee as their rates before leaving VRSD with an effective date of the next pay-period after Board adoption, and

b. In recognition of the long-term service to TWSD by the core management group, approve starting their annual leave accrual rate at 9.92 hours per pay-period (comparable to VRSD's maximum leave accrual rate) with an effective date of the next pay-period after Board adoption.

D. Direct Legal Counsel to reference Resolution No. 2021-006 in the Core Management Contracts, or;

E. Direct staff as necessary.



VICKIE DRAGAN – DIRECTOR OF FINANCE

REVIEWED AND APPROVED


Mark Norris - General Manager

Attachments: TWSD Management and Other Unrepresented Employees Resolution No. TWSD 2021-006 including Exhibit 1 and Exhibit 2

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Management and Other Unrepresented Employees Resolution

November 22, 2021

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TRIUNFO WATER & SANITATION DISTRICT

RESOLUTION NO. 2021-006

A RESOLUTION OF THE BOARD OF TRIUNFO WATER & SANITATION DISTRICT DESCRIBING COMPENSATION, BENEFITS, AND PERSONNEL POLICY MANUAL FOR MANAGEMENT AND OTHER UNREPRESENTED EMPLOYEES OF THE TRIUNFO WATER & SANITATION DISTRICT

The Board of Triunfo Water & Sanitation District resolves as follows:

Article I. GENERAL PROVISIONS

Section 1.01 - TITLE AND PURPOSE

This Resolution describes the employment and compensation plan for management and other unrepresented employees of the Triunfo Water & Sanitation District. This resolution shall become effective November 28, 2021, unless otherwise specifically provided.

Exhibit 2, Triunfo Water & Sanitation District Employee Policy Manual is hereby referenced and made a part of this Resolution.

Section 1.02 - RECOGNITION

This Resolution shall apply only to persons employed in the classifications set forth in Exhibit 1. The provisions of this Resolution shall be applied equally to all employees without unlawful discrimination as to age, sex, race, color, creed, national origin, disability, sexual preference, or sexual orientation.

1. The terms “employee” or “employees” as used in this Resolution shall refer only to persons employed by the Triunfo Water & Sanitation District in regular, allocated positions.
2. Employees subject to this Resolution are classified as either Management or Unrepresented.
3. Compensation for members of the Triunfo Water & Sanitation District Board is controlled by Ordinance.

Section 1.03 - DEFINITIONS

1. Board: members of the Triunfo Water & Sanitation District Board of Directors.
2. District or TWSD: the Triunfo Water & Sanitation District.
3. Employees: persons employed by the Triunfo Water & Sanitation District in regular allocated positions.

4. **At-will Employment:** General Manager holds his position at the will of the Board of Directors. All employees hold their positions at the will of the General Manager. Only the General Manager has the authority to make promises or negotiate with regard to guaranteed or continued employment, and any such promises are only effective if placed in writing and signed by the General Manager. Employment at-will may be terminated without cause and without right of appeal.
5. **Exempt Employees:** all employees of the Triunfo Water & Sanitation District that are not eligible to earn overtime compensation.
6. **Non-Exempt Employees:** all employees of the Triunfo Water & Sanitation District that are eligible to earn overtime.
7. **Regular Full-time Employee:** an employee who has successfully completed their probationary period and who regularly works forty (40) hours or more per workweek.
8. **Regular Part-time Employee:** an employee who has successfully completed their probationary period and who regularly works less than forty (40) hours per workweek.
9. **Temporary Employee:** a person employed by the District for short-term assignments to fill in for an employee on extended sick leave or leave of absence, perform employment of a brief duration for anticipated peak periods, occupy position pending recruitment for a permanent employee, or perform seasonal work. Temporary employees are not considered a regular employee. Such employees serve at the will of the District and are not eligible for employee benefits and may be classified as exempt or non-exempt according to job duties and method of compensation.
10. **Supervisory Employee:** an employee specifically designated by the General Manager as responsible for monitoring the performance of at least one other individual employee. Supervisory employees may or may not be exempt employees.

Article II. COMPENSATION PLAN

Section 2.01 - Compensation Schedule

Except as otherwise provided herein, employees shall receive the base hourly pay or salary of the pay range assigned to the classification of the position in which they are employed, benefits and retirement in accordance with the pertinent conditions of employment enumerated in these sections, appendices, and exhibits. Salaried employees shall be compensated under the provisions of "Biweekly Salary"; and hourly employees under the provision of "Hourly Salary."

1. **Base Hourly Pay or Salary** for all employees is defined as the biweekly compensation within the salary range for the employees' job title.
2. **Recruiting Salary:** In all instances the recruiting step shall be the first step of the appropriate salary range unless authorization of the General Manager has been given for a hiring rate at some other step within the salary range assigned a specific classification.
3. **Advanced Pay/Salary Appointments:** The General Manager may provide that a position

be filled at a pay/salary level beyond the midpoint of the salary range. An advance pay/salary appointment may be made when either of the following occurs:

- a. Whenever reasonable proof has been presented that no qualified person can be recruited to fill a position at the minimum rate.
 - b. Whenever reasonable proof has been presented that an applicant has qualifications deserving a starting salary higher than bottom step of the range.
4. Regular Payday: Paychecks shall be issued bi-weekly no later than Friday, for the two immediately preceding work weeks. Employees may have their salary directly deposited into a bank of their choice.
 5. Pay on Termination: Upon certification of the Director of Finance that the employment of any employee is terminated prior to the expiration of the biweekly pay period, the compensation of such persons shall become due and shall be paid on the pay day which falls within the next pay period.
 6. Pay for Part-time Services of Regular Employees: The actual compensation for part-time employment shall be determined by multiplying the appropriate hourly rate for the position by the actual number of hours worked.
 7. Payment for Services Rendered on an Annual Basis: Whenever the salary for any position is established as an annual rate, the employee appointed to that position will be paid a salary on a biweekly basis.
 8. Merit Increase Within the Pay/Salary Range: Salary increases within a range shall be based on merit of the employee's annual performance appraisal and shall be automatic unless the appraisal shows a need for improvement and/or does not meet the quality of work required for such position. In that case, the merit increase may be withheld pending improvement(s). A merit increase shall consist of an increase of approximately five percent (5%) within a range for the class unless the employee is less than five percent (5%) from the top of the range and in such a case, the increase shall be to the top of the pay/salary range.
 9. Salary on Promotion: Any regular employee who is promoted to a position in a class having a higher salary rate shall receive the recruiting salary for the higher class or such higher amount as would constitute a minimum of five percent (5%) increase on the range over the salary received prior to the promotion. The salary anniversary date of the employee shall not change.
 10. Salary on Demotion: Whenever an employee who has completed their probationary period in a higher class is then demoted for disciplinary reasons, to a position in the lower class in which they did not previously hold status, they shall receive a salary five percent (5%) less than their salary immediately prior to demotion, or the highest salary on the new range, whichever produces the lower salary. An employee so demoted shall be required to serve a new probationary period.
 11. Salary on Reclassification: Whenever an employee is reclassified to a classification, which has a higher salary range, the employee shall be placed on the lowest step of the

pay range, which provides a minimum of five percent increase in salary. The salary anniversary date of the employee shall not change.

12. Time for Merit Advancements: A newly appointed, reemployed or promoted employee may qualify for:
 - a. An initial merit advancement within the pay/salary range the pay period following completion of 1,040 hours of service in that class.
 - b. Succeeding merit increases within the pay/salary range the pay period following completion of each additional 2,080 hours of service.
 - c. The period of service required to qualify for merit increases by regular part-time employees shall be as for a regular full-time employee.
13. Merit Review: The Department Manager and/or designee shall notify Human Resources and the employee in writing of their decisions regarding approval, denial, or deferment of a merit increase. In all cases, the recommendation of the appointing authority shall be based on the employee's performance.
14. Denial of Merit Increase: If, in the Department Manager's and/or designee's judgment, the employee's performance does not warrant a merit salary increase upon meeting the time requirements of Section 2.01, 12., they may deny the increase and must complete the District's Performance Evaluation Rating Form. Any time prior to the employee's next scheduled merit increase, the employee may request a review of their merit increase by the appointing authority, or the appointing authority by their own initiative, may review the matter. If the appointing authority concurs with the requested review, or if the appointing authority independently initiates their own review, then the appointing authority shall reopen the matter by submitting another performance rating and recommendation. If an employee's merit increase is deferred and granted within the year, that employee's next merit increase shall not be due until 2,080 hours of service have elapsed from the (1st) first day of the period in which the increase was finally granted.
15. Correcting Error in Overlooking Merit Increase: Upon discovery that an employee who would otherwise have been recommended for a merit increase failed to receive such increase as the result of an oversight or system error, the District shall compensate the employee for the additional salary they should have received, when they should have satisfied the merit increase hours needed. In such cases, there will be no adjustment of an employee's anniversary date.
16. Effective Date of Promotion: Whenever a person is promoted to a position, the effective date of promotion shall always be the first (1st) Sunday of the following pay period.

Section 2.02 - OVERTIME

1. Definition:
 - A. Overtime is defined as hours worked over a regularly scheduled nine (9) hour work day or time worked in excess 40 hours in a workweek shall be paid at the overtime rate as hours worked more than forty (40) hours in a 7-day designated work period. Hours worked shall not include any paid time off.

- B. Non-exempt employees are eligible for overtime pay.
 - C. Exempt employees are not entitled to overtime pay.
2. Policy Limitation on Overtime: It is the District's policy to avoid the necessity for overtime whenever possible. Overtime work may sometimes be necessary to meet emergency situations, seasonal, or peak workload requirements. No employee shall work overtime unless authorized by their Department Head.

Article III. BENEFITS

The District reserves the right to curtail, reduce, change, suspend or discontinue any non-vested benefit in its sole discretion at any time. Employees will be notified of any changes in employee benefit programs. The District's right to make these changes is not limited by an employee's length of service or by an employee's reliance on availability of benefits or any other factor. Employees who are normally scheduled to work thirty-two (32) hours or more per week are entitled to the full benefits offered by the District. Part-time employees who are normally scheduled to work less than twenty (20) hours per week and temporary employees are not eligible for benefits unless required by law.

Section 3.01 - RETIREMENT

The District shall contribute on behalf of Regular Full and Part-Time employee, of an amount equal to 16.5% of employee's base annual salary, to a retirement fund established by the District. All contributions are limited to an employee's base pay and may not include other forms of payment or monetary compensation, including other benefits received by employee.

Section 3.02 – FEDERAL SOCIAL SECURITY AND MEDICARE

Every employee shall be covered by the Federal Social Security & Medicare Act and the District shall make the appropriate District contributions on behalf of employee and deduct employee contributions from the employees' salary.

Section 3.03 – DEFERRED COMPENSATION PLAN

An optional program to increase retirement benefits is available to Regular Full and Part-Time employees. The purpose of the plan is to defer a portion of the employee's salary for use at their retirement. Contributions to the plan are voluntary and employee funded.

Section 3.04 - HEALTH AND WELFARE INSURANCE

(a) IRS SECTION 125 PLAN (CAFETERIA PLAN)

The District shall maintain, in accordance with Section 125 of the Internal Service Revenue Code, a Cafeteria Plan for the purpose of providing employees with access to various health and welfare benefits on a pre-tax basis. Benefits available through the Cafeteria Plan include, but are not limited to:

- Group Health Plan Medical Premiums
- Dental and Vision Insurance Premiums

- Flexible Spending Account for Dependent Care
- Flexible Spending Account for Medical Expenses.

The District's contribution to the Cafeteria Plan ("Flex Dollars") for regular full-time employees is \$1,874 per month. Part-time employees will receive 50% of the full-time benefit (\$937/month). The District's contribution provides coverage for employees, their spouse, and dependent children under 26 years.

Eligible employees who opt out of the District's Group medical insurance or do not fully utilize the District's Medical Benefit and Flex Dollar contributions will receive 100% cash-back of the unutilized District contributions. Employees will be required to show proof of medical insurance coverage. Cash back shall not be considered part of employee's base annual salary.

(b) Medical Coverage

The District shall make every reasonable effort to make available health insurance coverage to employee's subject to the District retaining the right to select a plan(s) different from the current plan. Regular-, full- and part-time employees including his or her spouse, and unmarried dependent children under 26 years, are eligible for medical coverage on the first of the month following one (1) full month after employment.

(c) Dental Insurance

The District shall make every reasonable effort to make available dental insurance for regular-, full- and part-time employees, his or her spouse, and unmarried dependent children under 26 years, are eligible for dental coverage on the first of the month following one (1) full month after employment.

(d) Vision Care

The District shall make every reasonable effort to make available vision care insurance for regular-, full- and part-time employees including his or her spouse, and unmarried dependent children under 26 years, are eligible for vision care on the first of the month following one (1) full month after employment.

(e) COBRA

Consolidated Omnibus Budget Reconciliation Act (COBRA) allows employees to pay for their group health insurance at the employer rates for a specific period of time for covered employees, spouses, and dependent children who lose their coverage due to a "qualifying event."

Section 3.05 – ANCILLARY BENEFITS

The District's contributes \$100 per month to provide disability insurance, life insurance, and employee assistance program. Employees are required to contribute if the total cost is over \$100.

(a) Disability Insurance

The District shall provide disability insurance for each regular, full, and part-time employee. The District retains the right to select a plan(s) different from the current plan. Coverage commences after the employee has completed one month of continuous employment with the District and upon submission of an application of membership.

(b) Life Insurance

Life insurance in the amount of \$50,000 is provided by the District for each regular, full, and part-time employee upon completion of one month of continuous employment with the District and upon submission of application of membership. Additional life insurance is available at the employee’s expense.

(c) Employee Assistance Program (EAP)

The District provides and maintains an Employee Assistance Program (EAP) for all regular employees. The EAP offers confidential services that can assist employees and members of their household to resolve personal issues and meet life’s challenges. Information on the program can be found in the brochure located in the hallway or by contacting a staff member in the Finance/Human Resources department.

Section 3.06 – OTHER BENEFITS

(a) Vehicle Allowance

The District shall provide the General Manager, Director of Finance, and Engineering Program Manager a monthly vehicle allowance of four-hundred dollars (\$400) per month. The allowance is for the purpose of purchasing and/or leasing, maintaining, repairing, and ensuring a vehicle for such employees to use for all purposes related to their District duties.

(b) Longevity Pay

The District recognizes an employees’ long-term service to the District and provides for the following cash sums payable annually during the same pay period following the employee’s anniversary date:

- After 5 years of District Service - \$200
- After 10 years of District Service - \$300
- After 15 years of District Service - \$500
- After 20 years of District Service - \$700

(c) Professional Organizations Reimbursement

The District supports memberships in professional organizations which benefit both the employee’s field of expertise and the District by the employee’s direct involvement in the organization. All requests for membership in professional organization require General Manager approval and may be subject to an annual maximum.

(d) Workers’ Compensation

Pursuant to the California Labor Code, all employees are covered by the District’s workers’ compensation program. The program provides medical benefits and wage replacement to employees injured in the course of employment. All work-related illnesses/injuries are required to be immediately reported to a supervisor and Human Resources.

Article IV. TERMS & CONDITIONS OF EMPLOYMENT

Section 4.01 – ATTENDANCE POLICY

All employees are required to provide reasonable advance notice to their supervisor if they know ahead of time that they will be absent or late. Employees may be required to provide documentation of any medical or other excuse for being absent or late. The District reserves the

right to apply Annual Leave Time to unauthorized absences where permitted by applicable law.

Section 4.02 – EXPENSE REIMBURSEMENT

Necessary and actual expenses incurred by an employee while attending to the business of the District may be reimbursed with the approval of the Director of Finance or General Manager.

Section 4.03 – MILEAGE REIMBURSEMENT

When determined necessary and approved by the Director of Finance or General Manager, employees may be authorized to use their private automobile in the discharge of their assigned duties. Reimbursement for use of private automobiles shall be made in accordance with the Federal Government Standard Mileage Rate. Mileage reimbursement does not apply to the General Manager, Director of Finance, and Engineering Program Manager.

Section 4.04 – OUTSIDE EMPLOYMENT

Any employee wishing to engage in an occupation or outside activity for compensation shall inform his department manager of such desire, providing information as to the time required and the nature of the activity, and such other information as may be required. No such activity shall occur during an employee's regularly scheduled hours and shall not conflict with the interests of the District.

Section 4.05 – PERFORMANCE APPRAISAL

Every regular full-time and regular part-time employee who serve at the will of the General Manager shall be given a formal evaluation of job performance at least annually and such evaluation shall be discussed with the employee. The purpose of the performance appraisal report is to assist employees in achieving maximum work capacity and planning the employee's future development. The performance appraisal report is also used to provide a basis for employee selection and advancement, to identify employees who need improvement, and to recognize employees with above standard work performance.

Performance reviews are the responsibility of the employee's supervisor. If an employee feels the performance review is unfair, the employee may take the following steps:

- 1) Present a written report to the immediate supervisor, detailing the reason for each point of disagreement, and requesting further discussion with the department manager.
- 2) If the questions cannot be resolved after discussions between the three parties, a request to conference with the General Manager to review the areas of disagreements.

An employee must have a satisfactory performance appraisal report to be eligible for a merit salary increase or promotion. Deficiencies in performance by an employee may result in a decrease in salary, suspension, demotion, or dismissal. The employee shall sign the performance appraisal report to acknowledge its contents. Such signature shall not necessarily mean that the employee agrees with the contents of said report.

Section 4.06 – POLITICAL ACTIVITY

Employees shall not engage or participate in political activity of any kind during regular

working hours. No non-employee shall be permitted to enter or remain in or on District property, buildings, or structures for the purpose of making, demanding, or giving notice of any political activity or subscription. No employee shall be discriminated or retaliated against for engaging in political activities outside of regular working hours.

Section 4.07 – PROBATIONARY PERIOD

The probationary period for newly hired and newly promoted District employees shall be 1,040 hours of actual and continuous service.

The probationary period may be extended by the General Manager or his designee for a period of up to an additional 1,040 hours of actual and continuous service. If the General Manager or his designee determines that the probationary period should be extended, the probationary employee shall be given notice in writing prior to expiration of the original probationary period.

During the probationary period, an employee may be rejected at any time without cause and without the right to appeal. Any promotional appointee who does not successfully complete the probationary period shall be placed in his former position if the position is vacant at the time. If the employee's former position is not vacant the employee shall be placed on a re-hire list for that position for a period of six months.

The probationary period set forth herein shall apply to both regular part-time and full-time employees. At-will employees can be terminated at any time without cause and without right of appeal.

Section 4.08 – REST PERIODS

Employees shall be entitled to two fifteen (15) minute rest periods per day, one during the first four hours of their shift and the other during the last four hours of their shift.

Section 4.09 – USE OF DISTRICT EQUIPMENT

No District-owned equipment, autos, trucks, instruments, tools, supplies, machines, computers, or any other item which is the property of the District shall be used by an employee while said employee is engaged in any outside employment or activity for compensation or otherwise, except upon prior written approval of the General Manager, or his designee.

Section 4.10 – WORK HOURS

Except as may be otherwise provided, an employee's regular workday and workweek shall be established by the General Manager.

Article V. LEAVES OF ABSENCE

Section 5.01 – ANNUAL LEAVE PROGRAM

The Annual Leave Program combines the time-off accruals for vacation and sick leave into one account. Regular full-time employees earn annual leave time on a biweekly basis according to the following schedule. Annual leave for regular part-time employees will be prorated at 50% of the full-time accrual rate.

Accruals per Years of Service	Accruals per Pay Period	Annual Leave In Days*
Less than 1 to 1 year	7.08	23.00
2	7.38	24.00
3	7.69	25.00
4	8.00	26.00
5	8.31	27.00
6	8.85	28.75
7	9.38	30.50
8	9.92	32.25
9	10.46	34.00
10	11.00	35.75

- Annual Leave in Days is calculated based on 8 hours per day and 26 pay periods per year.

Section 5.02 – BEREAVEMENT LEAVE

An employee may have up to twenty-four (24) hours paid leave for bereavement as a result of the death of a member of the employee’s immediate family. “Immediate family” is defined as the spouse, registered domestic partner, child by birth, child by marriage, foster child, guardianship child, parent, parent in-law, sibling, sibling in-law, grandparent of the employee or grandparent of the employee’s spouse. If additional time off is required, the employee may request Annual Leave.

Section 5.03 – COURT APPEARANCES

No deduction shall be made from the salary of an employee for an absence from work to appear as a witness in court or other judicial proceeding to comply with a valid subpoena or other court order, or to obtain relief, including a restraining order, to help ensure the health, safety, or welfare of a domestic violence victim or his or her child subject to the approval of the General Manager. An employee shall be paid only for time spent appearing in court or other judicial proceeding as set forth herein and the reasonable time the employee needs to return to work. All witness fees must be paid into the District and may not be waived except where the witness appears on behalf of the County, people, a public entity, or officer.

Section 5.04 – HOLIDAY LEAVE

The District shall observe the following twelve (12) Holidays:

- New Year's Day (January 1)
- Martin Luther King Jr. Day
- Presidents' Day
- Cesar Chavez Day
- Memorial Day
- Independence Day (July 4)
- Labor Day
- Veteran's Day (November 11)
- Thanksgiving Day
- Friday after Thanksgiving Day
- Christmas Eve (December 24)

- Christmas Day (December 25)

If a District holiday falls on Saturday, it shall be observed on the preceding Friday. If a District holiday falls on a Sunday, it shall be observed on the following Monday.

Employees who are eligible for a paid holiday will be compensated for eight (8) hours at the employee's hourly rate of pay. Part-Time employees will be compensated for four (4) hours at the employee's hourly rate.

Any non-exempt employee as defined by Federal law who is required to work on a paid assigned holiday shall receive overtime credit for the time worked.

Section 5.05 - INDUSTRIAL LEAVE (ON THE JOB INJURY)

In the case of an on-the-job injury, the employee may use Annual Leave accruals concurrently with leave in conjunction with Worker's Compensation leave. The employee will then receive from the District a check equal to their regular paycheck less the amount of their check from the Worker's Compensation Insurance Fund.

Section 5.06 - JURY DUTY

Regular employees will be paid his/her regular salary while he/she is on jury duty for up to three (3) days per fiscal year, less the amount received from the Court for such service as a juror. An attendance record from the Court for the time spent on jury duty and the jury duty check payment for such service must be submitted to the District's payroll section.

If jury duty falls on an assigned day off, the District will not compensate the employee.

Section 5.07 - LEAVE WITHOUT PAY

Leave without pay may be granted by the General Manager, but such leave, when granted, shall not exceed a continuous period of 30 calendar days, except for extended unpaid sick leave, military leave, pregnancy leave, and family and medical leave. Annual Leave benefits are not earned, nor holidays paid during leave without pay. This includes unpaid sick leave, military leave, family and medical leave or any other leave where the District is not paying wages to the employee.

Section 5.08 - MILITARY LEAVE

Military leave shall be granted in accordance with the provisions of state and federal law. An employee requesting leave for this purpose shall submit documentation of the need for leave to their supervisor. Within the limits of such orders, the District may determine when the leave is to be taken and may modify the employee's work schedule to accommodate the request for leave. When returning from military leave of absence, the employee will be reinstated at their previous position or a similar position in accordance with state and federal laws.

Section 5.09 - VOTING

Eligible employees will be granted time off with pay to vote at any general or primary elections provided by California Elections Code.

Article VI. DISTRICT RIGHTS

The District has and will continue to retain, whether exercised or not, the unilateral and exclusive right to operate, administer, and manage its district services and workforce performing those services in all respects. The exclusive rights of District shall include, but not be limited to, the right to determine the organization of the District and the purpose and mission of its constituent agencies, to set standards of services to be offered to the public, and, through its General Manager to exercise control and discretion over its organization and operations, to establish and implement administrative regulations and employment rules and regulations consistent with law, to direct employees, to classify and reclassify positions, to take disciplinary action for just cause, to relieve employees from duty because of lack of work or for other legitimate reasons, to determine whether goods or services shall be made, purchased or contracted for, to determine the methods, means and numbers and kinds of personnel by which the District's services are provided, including the right to schedule and assign work and overtime, and to otherwise act in the interest of efficient service to the community.

Article VII. SEVERABILITY

It is understood and agreed that this Resolution is subject to all current and future applicable Federal and State laws and regulations and the current provisions of the District Rules and Regulations. If any part or provision of this Resolution is in conflict or inconsistent with such applicable provisions of those Federal, State, or District enactments or is otherwise held to be invalid or unenforceable by any court of competent jurisdiction, such part or provisions shall be suspended and superseded by such applicable law or regulations, and the remainder of this Resolution shall not be affected.

Article VIII. CONFLICTING RESOLUTIONS

All resolutions, parts of resolutions, contracts, or District policies and procedures in conflict with this Resolution, are hereby repealed. This Resolution hereby supersedes Resolution No. 2020-007 adopted by the District Board on September 1, 2020.

Article IX. EFFECTIVE DATE

This Resolution shall become effective upon its adoption by the District Board. This Resolution shall remain in full force and effect, unless amended, repealed or otherwise modified by the District Board.

PASSED AND ADOPTED this _____ day of November 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ray Tjulander, Chair

ATTEST:

Fidela Garcia, Clerk of the Board

APPROVED AS TO FORM:

John Matthews, Legal Counsel

EXHIBIT 1

TRIUNFO WATER & SANITATION DISTRICT CLASSIFICATION PLAN

Salary ranges are subject to change.

Position	*Approximate Annual Salary	
Accountant	\$ 75,791.00	- \$ 98,532.00
Accounting Assistant	\$ 51,299.00	- \$ 66,688.00
Accounting Technician	\$ 62,354.00	- \$ 81,060.00
Administrative Program Manager ^{1, 2}	\$ 111,551.72	- \$ 149,251.65
Clerk of the Board	\$ 101,568.00	- \$ 138,038.00
Director of Finance ²	\$ 156,964.85	- \$ 204,056.82
Engineering Program Manager ^{1, 2}	\$ 135,591.93	- \$ 180,407.80
Environmental Resources Analyst	\$ 75,791.00	- \$ 98,529.00
General Manager ²	\$ 190,791.45	- \$ 248,029.61
Operations Manager	\$ 129,629.00	- \$ 168,518.00
Water/Wastewater Operations Supervisor	\$ 83,560.00	- \$ 108,628.00
Water/Wastewater Worker	\$ 72,182.00	- \$ 93,837.00

**Approximate Annual Salary is based on 2,080 hours.*

1 Increased Minimum and Maximum C&C Annual Salary based on their then contract rates.

2 Increased Minimum and Maximum based on September 2021 CPI increase of 4.6%, effective October 2021.

EXHIBIT 2



Employee Policy Manual

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1.1 OVERVIEW**1.1.1 Purpose**

The purpose of this employee policy manual is to provide guidance to the employees of the Triunfo Water & Sanitation District (TWSD), which will be referred to as the “District” from here on out. The General Manager is vested with the authority to administer personnel relations in accordance with the terms of this manual.

This manual highlights areas of importance to facilitate efficient and economical service to the public, as well as promote a fair and equitable system of personnel management within the District. This manual does not provide an answer to all personnel questions and issues that may arise regarding responsibilities, obligations, rights, privileges, benefits and prohibitions which, are placed upon all employees of the District.

This manual is not a contract. Accordingly, it should not be interpreted to create any expressed or implied contractual rights between the District and any employee. It is expressly understood that the contents of this manual do not constitute the terms of a contract of employment or benefits. Thus, this manual should not be construed as a guarantee of continued employment. Any verbal or written representations to the contrary are invalid and should not be relied upon by current or prospective employees.

The policies set forth in this manual replace any and all previous policy statements, whether written or oral, which differ from or are inconsistent with the policies expressed in this manual. No such prior policies or procedures shall have any force or effect after the effective date of this manual.

This manual may be revised and updated from time to time, as deemed necessary by the General Manager of the District subject to approval by the Triunfo Water & Sanitation District Board of Directors.

1.1.2 About the District

The Triunfo Water & Sanitation District (District) operates and maintains a water distribution system, a wastewater collection and treatment system, and recycled water treatment and distribution system, and other appurtenant facilities (“District Facilities”) for the purposes of providing these services to the customers in Triunfo.

The District was organized in November of 1963 as a special district under the County Sanitation District Act, California Health & Safety Code Division 5, Part 3, Chapter 3, Section 4700 et seq., to provide sewer services for the eastern portion of Ventura County. The District covers approximately 50 square miles of the southeastern portion of Ventura County adjacent to the Los Angeles County line, and serves a population of approximately 33,000. The District receives no tax revenue and relies on fees and charges for service provided.

In October of 1964, the District and Las Virgenes Municipal Water District (LVMWD) entered into a joint powers agreement establishing a Joint Venture to construct, operate, maintain, and provide for a regional sewerage system to serve the area within

the two Districts' boundaries.

The District expanded its service to the community in 1993 with the purchase of the Metropolitan Development's Metropolitan Water Company located within the District's boundaries in Oak Park. The new entity became known as the Oak Park Water Service (OPWS), owned and operated by Triunfo Sanitation District (TSD). In July 2019, the District added "Water" to its name and integrated the operations of Oak Park Water Service into the single entity of Triunfo Sanitation District to Triunfo Water & Sanitation District (TWSD).

The District is governed by a five-member Board of Directors (Board) that is elected by the voting residents of the District's service area. The Board has specific powers and authority as defined by the Water Code and District policies. The Board appoints a General Manager. The General Manager has full charge and control of the operations, maintenance, and construction of the District's water system; full power and authority to employ and discharge all employees in accordance with applicable rules and agreements; prescribe the duties of the employees; set and alter the compensation of employees, subject to approval by the Board and to carry out the policies and regulations as established by the Board.

Because the District is a public agency, service in the public interest is paramount. In accepting employment with the District, each employee assumes an obligation to the residents and businesses of our community to perform his or her duties in a prompt, efficient, and courteous manner. The District is likewise committed to providing its employees with reasonable wages, benefits, and safe working conditions.

1.1.2.1 District Values

All employees shall demonstrate and abide by the following values:

- **Leadership:** We are a team. The community is supported through mutual cooperation and respect. Great ideas come from many sources and we listen with an open mind.
- **Caring:** We care about the quality of our water, we care about our customers' satisfaction and we care about the quality of the working environment.
- **Integrity:** We are honest with one another, with our customers and with our industry partners. We maintain a quality operation that is fiscally sound and forthright. We want the trust and respect of our community and ratepayers.
- **Professionalism:** We are committed to standards of excellence, accuracy and superior conduct.
- **Vision:** We recognize that decisions we make today impact the future of this District and our community. We value our community's natural resources and actively seek ways to improve our services through local control and stewardship.

1.1.2.2 Open Door

Management adheres to an open door policy and encourages all employees to share opinions, ideas, and thoughts about general operations, especially relating to improving efficiency, increasing productivity, devising innovative solutions, and achieving desired results. The open door policy is intended to encourage

personnel at all levels of the District to express their opinions and ideas about any general item. The open door policy allows management to understand details of the District's operations and creative suggestions for improvement that might be lost in translation as the message makes its way through multiple channels.

1.1.2.3 Employee Recognition

Employees receive recognition for every five (5) years of service.

1.2 THINGS TO KNOW

1.2.1 Fiscal Year

The District operates on a fiscal year, from July 1 to June 30. Unless otherwise noted, employee functions in this manual are based on a fiscal year.

1.2.2 Bulletin Boards

District bulletin boards are reserved for the exclusive use of the District for posting work-related notices or notices which must be posted pursuant to local, state and federal law. From time to time, special notices and information for employees will be posted by the District on the bulletin boards. Please check the boards regularly for such notices.

2.1 GENERAL POLICIES

2.1.1 Equal Opportunity Employer

The District is an equal opportunity employer and strictly prohibits unlawful discrimination by any employee. It is the policy of the District that its employment practices be administered without regard to:

- Race
- Color
- Religious creed, including religious dress and grooming practices
- Sex (including gender, gender identity, gender expression, transgender, pregnancy and breastfeeding and medical conditions relating to breastfeeding)
- Marital status
- Physical or mental disability
- Medical condition
- Genetic characteristics or information
- Age (over 40)
- National origin or ancestry
- Sexual orientation (including homosexuality, bisexuality, or heterosexuality)
- Military or veteran status
- Any other consideration made unlawful by applicable discrimination laws

2.1.2 Reasonable Accommodation

Absent undue hardship on the District, or direct threats to the health and safety of employee(s), the District provides employment-related reasonable accommodations to:

- Qualified individuals with disabilities, both applicants and employees, to enable them to perform essential job functions;
- Employees with conditions related to pregnancy, childbirth, or a related medical condition, if they so request, and with the advice of their health care provider;
- Employee victims of domestic violence, sexual assault, or stalking to promote the safety of the employee victim while at work; and
- Employees who request reasonable accommodation to address a conflict between religious belief or observance and any employment requirement.

Any employee who requires an accommodation in order to perform the essential functions of his or her job should contact the Director of Finance and request an accommodation. The District will conduct an interactive process with the employee to determine whether the requested accommodation or an alternative is reasonable and can be implemented without imposing an undue hardship on the District.

2.1.3 Anti-Harassment, Anti-Discrimination, and Anti-Retaliation

The District has adopted a policy and complaint procedure against harassment, discrimination and retaliation. The purpose of this policy is to establish a strong commitment to prohibit and prevent discrimination, harassment, and retaliation in the

workplace; to define those terms; and to set forth a procedure for investigating and resolving internal complaints. Employees, applicants, officers, officials or contractors who believe they have experienced any form of harassment, discrimination, or retaliation are encouraged to report this immediately. Complaints may be made following procedures provided in Appendix A, Anti-Harassment, Anti-Discrimination, and Anti-Retaliation Policy, to the General Manager, Director of Finance, by contacting the U.S. Equal Employment Opportunity Commission (EEOC), or the California Department of Fair Employment and Housing (DFEH).

2.1.4 Drug Free Workplace

It is the desire of the District that all work environments be safe, productive and free of the influence of alcohol and/or controlled substances. The District recognizes that the use of alcohol and/or controlled substances in the workplace is not conducive to safe working conditions and will not be tolerated.

Employees will not be at work under the influence of alcohol and/or controlled substances, will not use alcohol and/or controlled substances while on duty or while on paid standby time and will not sell, manufacture, distribute or provide controlled substances to any person while on duty. The District has no intention of interfering with the private lives of its employees unless involvement with alcohol and/or controlled substances off the job affects job performance or public safety.

All employees of the District, whether or not in safety sensitive positions, are subject to reasonable suspicion testing for alcohol and/or controlled substances. In addition, safety sensitive employees (the Department of Transportation's definition includes any employee who must possess a commercial driver license) are subject to pre-employment and random, alcohol and/or controlled substance testing.

Appendix B contains the District's Drug Free Workplace Policy.

2.1.5 Tobacco Free Workplace

The District is committed to providing a healthy and safe workplace for its employees and the public. In keeping with this commitment and in accordance with state law, the use of tobacco or vaping products is strictly prohibited on District premises (other than specially designated areas), in District vehicles, on District work sites, or in the presence of District customers.

2.1.6 Whistle-blower Protection

The General Manager has primary responsibility for:

- Ensuring compliance with this Manual, and ensuring that District employees do not engage in improper activities;
- Investigating allegations of improper activities; and
- Taking appropriate corrective and disciplinary actions.

Employees are encouraged to fulfill their obligation to the public and the District by disclosing in writing to their immediate supervisor, to the extent not expressly prohibited by law, improper work-related activities within their knowledge. In the event that the improper activity involves their immediate supervisor, the employee must follow the chain of command and alert the next responsible manager. Employees will

not interfere with the General Manager's responsibilities in identifying, investigating, and correcting improper work-related activities.

An employee will not directly or indirectly use or attempt to use the authority or influence of his or her position for the purpose of intimidating, threatening, coercing, commanding, or influencing any other person so as to deter such person from acting in good faith to report or otherwise bring to the attention of the General Manager any information that, if true, would constitute:

- A work-related violation by a District employee of any law or regulation;
- Gross waste of District funds;
- Gross abuse of authority;
- A specific and substantial danger to public health or safety due to an act or omission of a District employee;
- Use of a District office or position or of District resources for personal gain; or
- A conflict of interest of a District employee.

An employee will not use or threaten to use any official authority or influence to effect any action as a reprisal against a District employee who reports or otherwise brings to the attention of the General Manager any information regarding the subjects discussed in this section.

The District also prohibits all of the following:

- Taking any retaliatory adverse employment action against an employee because the employee has or is believed to have disclosed information to any government or law enforcement agency, including to the District, if the employee has reasonable cause to believe that the information discloses a violation of state or federal law, or a violation or noncompliance with a local, state, or federal rule or regulation (Labor Code § 1102.5(b));
- Preventing an employee from disclosing information to a government agency, including to the District, if the employee has reasonable cause to believe that the information discloses a violation of state or federal law, or a violation or noncompliance with a local, state, or federal rule or regulation (Labor Code § 1102.5(a));
- Retaliating against an employee for refusing to participate in any activity that would result in a violation of state or federal law, or a violation or noncompliance with a local, state, or federal rule or regulation (Labor Code § 1102.5(c)); and
- Retaliating against an employee because the employee's family member has, or is perceived to have, engaged in any of the protected activities listed above.

Any person who believes that he or she has been subjected to any action prohibited by this section may file a confidential complaint with: 1) the General Manager, or 2) any member of the Board of Directors, if the complaint involves the conduct of the General Manager. Upon the conclusion of an investigation, the General Manager (or the Board of Directors) will take appropriate action consistent with this Manual.

2.1.7 Conflict of Interest

Pursuant to the provisions of Gov. Code § 87300, et seq. no official or employee will accept a fee, compensation, gift, payment of expenses or any other thing of monetary

value in any circumstances in which acceptance may result in or reasonably create the appearance of any one or more of the following:

- Use of public office and/or employment for personal or private gain;
- Preferential treatment of any person;
- Loss of complete independence or impartiality;
- Making a District decision outside of official channels;
- Reduction of public confidence in the integrity of the District and/or its employees; and
- Impeding government efficiency or economy.

It is the employee's responsibility to disclose and report all potential conflict of interest situations to his or her supervisor or the General Manager.

Should a District employee be approached by a contractor or supplier and offered a gift or bribe so as to enhance that contractor's or supplier's position with the District, the employee must immediately report such activity to the General Manager.

Appendix C contains the Conflict of Interest Code.

2.1.8 Outside Employment

An employee shall not engage in any paid or self-employment, activity, or enterprise which is inconsistent, incompatible or in conflict with his or her District duties, functions, responsibilities, or that of the department in which he or she is employed at the District. Part-time employees may engage in outside business employment. In order to avoid perceived or actual conflicts of interest that may arise from outside employment, all employees must obtain written approval from the General Manager prior to undertaking any outside employment (Gov. Code § 1126(a).)

2.1.9 Political Activity

District employees and officials are prohibited from engaging in political activity during working hours or on District property, with the exception that political activities may take place at Board of Director meetings. (Gov. Code § 3207.)

No District employee or official will participate in political activities of any kind while wearing clothing that identifies the employee as a District employee. (Gov. Code § 3206.)

No District employee or official may use District funds or resources to advocate a partisan position or otherwise use District funds or resources to support his or her personal political activities. (Gov. Code § 54964.)

2.1.10 Confidentiality

Employees may, during the course of their duties, acquire, develop, use or learn certain confidential, sensitive, or proprietary information (collectively "Confidential Information") concerning District operations, customers, employees, contractors, vendors, suppliers, or proposed contractors, vendors, or suppliers.

Confidential information includes, but is not limited to: personnel records, customer data, real property acquisition materials, legal memoranda, records pertaining to

pending litigation, preliminary drafts, notes or memoranda which are not typically retained in the ordinary course of business, terrorist attack risk, vulnerability assessments, information security records, or trade secrets, as defined by California Evidence Code § 1061(a)(1), whether such secrets are owned by the District or any of its contractors, vendors, or suppliers or proposed contractors, vendors, or suppliers. Employees shall not, during their employment with the District or any time in the future, directly or indirectly:

- Disclose or furnish, to any other person, firm, agency, corporation, client, business or enterprise, any confidential information acquired during their employment;
- Individually or in conjunction with any other person, firm, agency, company, client, business or corporation, employ or cause to be employed any confidential information in any manner whatsoever except in furtherance of the business of the District;
- Without the written consent of the District, publish, deliver or commit to being published or delivered, any copies, abstracts or summaries of any files, records, documents, drawings, specifications, lists, equipment and similar items relating to the business of the District, except to the extent required in the ordinary course of their duties.

2.1.11 Protecting District Security

Employees are responsible for all equipment assigned to them, including security resources such as key cards, keys, combinations, key pad PINs and passcodes. Duplication of keys is strictly prohibited.

2.1.12 Personal Property

Any loss or damage to personal property of employees that is voluntarily brought on to District premises, will be reviewed for resolution on a case by case basis.

2.2 EMPLOYMENT CLASSIFICATIONS

2.2.1 At-Will Employment

Employment at the District is at-will. This means that an employee may terminate his or her employment at any time with or without advance notice to the District and with or without cause. Likewise, the District may terminate the employment of any employee at any time with or without advance notice and with or without cause.

Except for the General Manager, no manager, supervisor or representative of the District has any authority to enter into any agreement for employment for any specific period of time or to make any agreement contrary to at-will employment.

2.2.2 Categories

The following is a list of the employment categories used by the District. If an individual has any questions about his or her job category, the individual should check with the Director of Finance.

Employee	The term “employee(s)” shall mean all persons employed by the District. The Board of Directors are not employees. Individuals working through an employment agency (leased employees, etc.) and those working as independent contractors are not considered employees of the District and are not entitled to any employment benefits provided by the District.
Exempt Employees	Exempt employees are employees whose job duties meet the federal Fair Labor Standards Act (FLSA) requirements for overtime exemption. Exempt employees are compensated by salaries and are not eligible for overtime pay. The Director of Finance will inform the employee if his or her status is exempt. Exempt employees may have job assignments that require full or part-time work.
Non-exempt Employees	Non-exempt employees are employees subject to federal FLSA overtime regulations and will be compensated for overtime hours worked in accordance with the law. Non-exempt employees must comply with District policies regarding overtime work.
Regular Full-Time Employees	Regular full time employees are employees who are normally scheduled to work and who regularly do work a schedule of 40 hours or more per work week.
Regular Part-Time Employees	Regular part time employees are employees who are regularly scheduled to and do work less than 40 hours per work week. Part time employees may be assigned a work schedule in advance or may work as needed.
Temporary Employees	Temporary employees are employees who are employed by the District for short-term assignments and who are not considered regular employees. Temporary employees are not eligible for employee benefits and may be classified as exempt or non-exempt according to job duties and method of compensation. This classification includes but is not limited to persons hired for the following reasons: seasonal peak workloads, water conservation program and emergency extra workloads.
Management Employees	Management employees are those employees specifically designated by the General Manager as responsible for the management of administration and operations. Management employees are exempt salaried employees and therefore are not eligible for overtime compensation.
Supervisory Employees	Supervisory employees are those employees specifically designated by the General Manager as responsible for monitoring the performance of at least one other individual employee. Supervisory employees may or may not be exempt employees.

2.2.3 Verification of Eligibility for Employment

The District is required by federal immigration laws to verify documentation that shows each person's identity and legal authorization to work in the United States. All offers of employment and continued employment are conditioned upon furnishing satisfactory evidence of identity and legal authorization to work in the United States and each individual must attest to his or her identity and legal authorization to work.

2.2.4 Nepotism

Relatives of employees or directors of the District will not be placed within the District as full-time employees for reasons of security, safety and/or morale. Present employees who marry one another will be permitted to continue their employment with the District only if they do not work in a supervisory relationship with one another or otherwise pose difficulties for supervision, security, safety or morale. If such employee-spouses do work in a supervisory relationship with one another, the District will attempt to reassign one of them to another position for which he or she is qualified if such a position is available. If no such position is available, then one of the employee-spouses will be required to leave the District's employment. The decision as to which employee will leave is left initially to the employee-spouses. If they do not decide which of them will leave, the District will determine based on the District's needs which employee-spouse will be required to leave the District's employment. Any separation or transfer resulting from the administration of this policy is not disciplinary and is not subject to any grievance or appeal, or pre- or post-disciplinary appeal due process.

Relatives as referred to in this policy include spouse, registered domestic partner, parents, children, brothers, sisters, grandparents, stepfather, stepmother, stepbrother, stepsister, stepchild, niece, nephew, cousin, uncle, aunt, grandchildren, and in-laws, or any member of an employee's immediate household.

2.3 EMPLOYEE REIMBURSEMENTS

2.3.1 Mileage Allowance

In the event a personal vehicle must be used, the District will reimburse expenses based on the Internal Revenue Service (IRS) current Standard Mileage rate. The District Accountant will periodically adjust the mileage allowance to correspond to IRS guidelines. Employees must submit proof of the distance (e.g., a Google map of the route) traveled when requesting reimbursement.

2.3.2 Travel Expenses

With the General Manager's permission, employees may travel to work related conferences and similar events. No family members, friends, etc., may ride in a District vehicle at any time. Flight travel should be in coach class; if an employee wishes to upgrade, the employee is responsible for the price difference. Receipts should be itemized and presented to the District Accountant for reimbursement of appropriate travel expenses, which may include airline tickets, hotel stays and other necessities.

Appendix D contains the Travel Procedures and Expenditures Policy.

2.4 DISTRICT VEHICLES AND PERSONAL VEHICLE USE

2.4.1 Employee Use of District Vehicles

District owned vehicles assigned to employees shall generally be restricted to District business only. Only District employees may drive or be a passenger in a District vehicle. District employees who are on-call may use the vehicle for commuting purposes and may maintain the vehicle at his or her residence, so that they may report directly to a work site. De minimis use (such as stopping for a personal errand) during the course of a commute is permitted. Any use beyond de minimis, will be subjected to the guidelines under the Internal Revenue Code and Regulations. Staff may also use District owned vehicles for District related out of town travel and may take the vehicle home on the way to or from the event.

An employee using a District owned vehicle for these purposes shall provide evidence that he or she has a valid California Driver's License. In addition, no other individual than the employee shall operate the vehicle except in the case of an emergency.

Drivers of District owned vehicles are personally responsible for any fines or other citations for traffic violations incurred during the use of the vehicle. The privilege of driving a District owned vehicle may be revoked in the event of repeated violations.

2.4.2 Use of Personal Vehicles for District Purpose

An employee who must use his or her personal vehicle for District purposes (e.g., driving to a conference when a District vehicle is either unavailable or impractical) will be reimbursed by the District at the standard mileage rate established by the IRS.

The employee shall provide evidence that he or she is covered under his or her own automobile insurance policy for any claims and damages arising out of his or her business use of the vehicle. This information must be on file with the Director of Finance.

Drivers are personally responsible for any fines or other citations for traffic violations incurred during the use of the vehicle.

2.5 CREDIT CARD USE

2.5.1 Authorized Users

Credit cards are issued to District employees through the authorization of the General Manager or his or her designee.

2.5.2 Use of District Credit Cards

Employees' use of District credit cards must adhere to the District Issued Credit Card Policy, which may be found in Appendix E.

2.5.3 Account Reconciliation

Detailed receipts for all purchases must be turned in to the supervisor for reconciliation against the monthly credit card bill. Supervisors are responsible for verifying all transactions on credit accounts and for presenting credit card bills and

corresponding receipts to the Finance Department in a timely manner. Late charges on credit accounts are unacceptable.

2.6 JOB PERFORMANCE

2.6.1 Performance Evaluation

2.6.1.1 Content

The performance evaluation is designed to help employees become aware of the progress made and/or of any areas for improvement. Employees will meet with their immediate supervisor to discuss the evaluation. Each employee is encouraged to ask specific questions and to comment about his or her evaluation. The employee's signature on the evaluation will be required to acknowledge receipt of the evaluation, and that the evaluation will be placed in the employee's personnel file. If an employee refuses to sign the evaluation, the Director of Finance and the supervisor will note the refusal on the evaluation and sign the notation. A copy of the evaluation will be provided to the employee. It is the responsibility of the employee to read and understand the content of the evaluation. An employee may submit written comments on the evaluation that will be included with the evaluation in the employee's personnel file.

A performance evaluation does not guarantee a merit pay increase, nor is it a promise of continued employment.

2.6.1.2 Schedule

The District will periodically review employee performance and discuss the review with the employee privately. For permanent full-time employees, evaluations may be performed annually, unless otherwise specified by a supervisor. During the first six (6) months of employment, may be evaluated at the completion of three (3) months and at the completion of six (6) months. For permanent part-time employees, the equivalent actual hours worked will be used to determine the timing of the performance review (e.g., annual is equivalent to 2,080 hours, etc.).

2.6.2 Change in Position

2.6.2.1 Promotion

When District employees apply for a change in position, the District considers, among other things, the following factors:

- The qualifications for that position;
- Evaluation of the candidate's competency, experience and ability to perform the work, as determined by past performance and examination of personnel records; and
- Ability to perform essential job functions of the applicable position.

The General Manager will consider the recommendations of the employee's immediate supervisors when reviewing qualifications for advancement. Change in position is effective upon approval by the General Manager, but does not change the at-will nature of the promoted employee's employment with the District. A promotion will result in a new anniversary date, determined by the

date of promotion.

2.6.2.2 Lateral Transfers

A lateral transfer is where an employee moves from one (1) position to another that has the same wage range. An employee who moves to a lateral position may not necessarily be eligible for a step increase in pay, as this transfer does not constitute a promotion. Employees transferring to a different job assignment at the same level or grade do not change anniversary dates.

Such transfers may be made at the request of the District, or by the employee. An employee request will be considered and approved by the General Manager if a lateral position is vacant and only if the interests of the District are best served by doing so.

2.6.2.3 Demotion

An employee's inability to perform satisfactorily in a new position may result in a return to his or her former position, provided the former position is available. An employee may also be demoted due to unsatisfactory work performance.

2.6.3 Fitness for Duty Exam

The District may require an employee to undergo a fitness for duty examination to determine whether the employee can perform the essential functions of the job with or without reasonable accommodation when there is significant evidence that:

- a. the employee's ability to perform one (1) or more essential functions of his or her job has declined; or
- b. could cause a reasonable person to question whether an employee is still capable of performing one (1) or more of his or her essential job duties, or is still capable of performing those duties in a manner that does not cause harm to himself, herself or others.

The District may also require that a District-approved medical provider conduct the examination.

2.6.4 Modified Duty

The District encourages employees to return to work through an interactive process. Any employee may request modified duty as an accommodation when a temporary disability limits the employee's ability to perform the essential duties of his or her job. The District will consider the request consistent with federal and state laws including, but not limited to, the Americans with Disabilities Act (ADA).

2.7 EMPLOYEE RECORDS AND RIGHT TO PRIVACY

2.7.1 General

The District maintains a personnel file on each employee. A personnel file will contain only material that the District deems necessary and relevant or that is required by law. Personnel files are the property of the District, and access to the information it contains is restricted to protect employee privacy interests. Access to personnel files will be strictly limited to only those with a legitimate need to have such information for the District's business purposes, or if access is required by law, subpoena or court order.

2.7.2 Employee Information

Employees must notify the Director of Finance promptly of any changes to their home address, phone number, name or number of their dependents, marital status, name change or any other such information necessary for accurate record keeping.

2.7.3. Medical Information

All medical information about an employee or applicant is kept in separate medical files and is treated as confidential. Access to employee or applicant medical information will be strictly limited to only those with a legitimate need to have such information for the District's business purposes, or if access is required by law, subpoena or court order. In the case of an employee with a disability, supervisors may be informed regarding necessary restrictions on the work or duties of the employee and necessary accommodations.

2.7.4 Access to Personnel Files

2.7.4.1 Inspection of File

Personnel files can be reviewed at reasonable times and at reasonable intervals, within 30 days of a written request. A former employee is entitled to inspect his or her personnel records one (1) time per year. (Labor Code § 1198.5(d).) A current or former employee and/or his or her representative, who wishes to review his or her personnel file should make a written request to the Director of Finance. (Labor Code § 1198.5(b)(2)(A).)

The inspection must occur in the presence and location of the Director of Finance or designee and at a time that works best (Labor Code § 1198.5(b)(1) without loss of compensation to the employee. (Labor Code § 1198.5(c)(2).

If a former employee files a lawsuit relating to a District personnel matter, the right to access personnel records may be suspended while the lawsuit is pending.

2.7.4.2 Copies

A copy of personnel records can be obtained within 30 days after the employer receives a written request. (Labor Code § 1198.5(b)(1)) A current or former employee who wishes to receive such a copy should contact the Director of Finance or designee in writing. The District may charge a fee for the actual cost of copying. (Labor Code § 1198.5(b)(1); 1198.5 (b)(2)(A).)

Prior to making a copy of personnel records or allowing inspection, the District may redact the names of nonsupervisory employees. (Labor Code § 1198.5(g).) Under no circumstances will the District provide access or copying of the following categories of personnel file documents: records relating to the investigation of a possible criminal offense; letters of reference; ratings, reports, or records that were obtained prior to employment, prepared by identifiable examination committee members, or obtained in connection with a promotional examination. (Labor Code § 1198.5(h).)

2.7.4.3 Representative's Inspection

To have another person/representative inspect his or her personnel files, a current or former employee must provide the person/representative with written authorization. (Labor Code § 1198.5(e).) The General Manager or designee will notify the employee and/or representative of the date, time and place of the inspection in writing.

2.7.4.4 Personnel File Documents

No person inspecting a personnel file is permitted to add or remove any document or other item to/from the personnel file.

2.7.5 Employment Reference

All requests from outside the District for reference checks or verification of employment concerning any current or former employee must be referred to the Director of Finance. Information will be released only if the employee signs an authorization for release of employment information in the form prescribed by the District, except that without such authorization the following limited information will be provided: dates of employment, classifications held, and salary range.

2.7.6 Personnel Records

The District will keep employee personnel files after the termination of employment per the District's record retention policy.

2.8 SEPARATION PROCEDURES

2.8.1 Resignations

To leave District service in good standing, an employee must file a written notice of resignation with the General Manager at least two (2) weeks before the employee leaves employment with the District. The General Manager may, however, grant good standing with less notice. "Resignation in good standing" does not include employees who resign while on suspension or while charges or disciplinary actions are pending, or resign to avoid dismissal. Resignations may not be withdrawn without the General Manager's approval.

Nothing in this Resignation Policy is intended to or should be taken to limit the at-will employment relationship between the employee and the District. Either the employee or the District can terminate employment at any time with or without cause and with or without advance notice.

2.8.2 Layoffs

The General Manager may abolish any position of employment and the employee holding such position may be laid off, transferred to a lateral position, or demoted if necessary due to lack of work, lack of funds or other economic reason, or because the necessity for a position no longer exists.

2.8.3 Exit Procedures

Upon leaving employment with the District, each employee must return all keys and other District property in as good a condition as when received (normal wear and tear excepted) including but not limited to all files, records, documents, drawings, specifications, lists, equipment and supplies, promotional materials and similar items relating to the business of the District to the General Manager or his or her designee.

The employee may be asked to participate in an exit interview with the Director of Finance. Each employee will be asked to sign a Personnel Action Form confirming receipt of the final paycheck and that all District property has been returned.

The Director of Finance will provide each employee with information regarding any conversion or continuation rights to insurance benefits. When leaving the District, employees and their dependents may have the right to continue group medical and dental benefits at their own expense temporarily under state and federal statute, commonly known as Cal-COBRA and COBRA, respectively.

3.1. PROFESSIONAL CONDUCT**3.1.1 Professional Conduct**

District employees are expected to maintain a professional standard of conduct in the performance of their duties. Unsatisfactory performance and/or misconduct may subject an employee to discipline.

3.1.2 Chain of Command

When an employee is seeking clarification on policies, procedures, or specific assigned tasks, those questions should be directed to the employee's supervisor. The District encourages employees to follow the chain of command in these instances in order to ensure that the matter is handled at the level nearest the problem and by the individuals who are most knowledgeable. If the situation cannot be resolved satisfactorily, the matter can be escalated to the next level in the employee's chain of command.

3.2. DISCIPLINE**3.2.1 General**

District policies, practices and procedures are not intended to create a contract of employment and do not, in any fashion, alter the at-will employment relationship under which the District operates. The District has the right to terminate an employee at any time without having to prove cause or justification, and without any recourse to a grievance procedure or an appeal right. However, the District may choose to utilize discipline to address an employee's performance.

3.2.2 Unacceptable Conduct

The following is a non-exhaustive list of conduct that is prohibited:

- Falsification of employment records, employment information, or other District records.
- Incompetence, inefficiency or neglect of duty.
- Recording the work time of another employee or allowing any other employee to record his or her work time, or allowing falsification of any time sheet, either the employee's own or another's.
- Deliberate or careless damage of any District property or the property of any employee or customer.
- Participating in horseplay or practical jokes on District time or on District premises.
- Carrying firearms or any other device designed or intended to primarily function as a weapon while on duty (multi tools, pocket knives, razor knives, and other devices designed or intended primarily as tools are not deemed weapons under this policy.)
- Possessing any open container of alcohol or possession of illegal drugs while on District property or using District equipment while under the influence of any impairment substances.
- Insubordination, including but not limited to failure or refusal to obey the lawful orders or instructions of a supervisor or member of management; or use of abusive or threatening language toward a supervisor or member of management.

- Unreported, unauthorized or habitual absence or tardiness.
- Abuse of annual leave.
- Failure to report unsafe or otherwise harmful situations to a supervisor.
- Sleeping on the job.
- Failure to observe work schedules including rest and lunch periods.
- Engaging in criminal conduct.
- Discourteous treatment of the public or fellow employees.
- Causing, creating or participating in a disruption of any kind during working hours or on District property.
- Soliciting other employees for membership, funds or other similar activity in connection with any outside organization during the employee's working time or the working time of the employee solicited.
- Distributing unauthorized literature or any written or printed material during working time or in work areas. ("Working time" does not include employee meal and break periods.)
- Failure of a non-exempt employee to obtain permission to leave work for any reason during normal working hours.
- Unauthorized use of District equipment, time, materials, facilities or the District's name.
- Excessive personal telephone calls during working hours that interfere with District business.
- Failure to provide a physician's certificate when requested or required to do so.
- Wearing extreme, unprofessional or inappropriate styles of dress, jewelry or hair while working.
- Working overtime without authorization or refusing to work assigned overtime.
- Committing a fraudulent act or a breach of trust under any circumstances; dishonesty.
- Violation of policies or procedures contained in this manual or any revisions thereof.

3.2.3 Corrective and Disciplinary Action

The General Manager has sole discretion and right to determine what corrective or disciplinary action is appropriate in each situation and is not required to treat each corrective or disciplinary action as a step in a series of progressive discipline. The following are types of counseling, reprimands and discipline, which the District may impose:

3.2.3.1 Counseling Memorandum

A counseling memorandum will be provided to an employee to identify: a failure of appropriate conduct or performance issue; the performance the employee is to demonstrate in the future; and consequences for failure to correct the behavior or problem. A counseling memorandum will be retained in the supervisor's file until the completion of the evaluation year, and then documented in the employee performance evaluation, as the supervisor deems necessary.

3.2.3.2 Verbal Reprimand

A verbal reprimand is a verbal direction from a supervisory employee to discontinue inappropriate conduct or to correct a performance issue. A verbal reprimand will be documented in writing and retained in the supervisor's file until the completion of the evaluation year and then documented in the employee performance evaluation, as the supervisor deems necessary.

3.2.3.3 Written Reprimand

A written reprimand is written direction from a supervisory employee to discontinue inappropriate conduct or to correct a performance issue. A written reprimand will be retained in the employee's personnel file and documented in the employee performance evaluation. The employee has the right to have his or her written rebuttal attached to the reprimand in the employee's personnel file, if the employee submits the rebuttal to the issuing supervisory employee or to the Director of Finance within five (5) business days after the reprimand is received.

3.2.3.4 Suspension Without Pay

The District may suspend an employee from his or her position without pay for cause. Documents related to a suspension shall become part of the employee's personnel file when the suspension is final and documented in the employee performance evaluation. Employees who are exempt from Fair Labor Standards Act (FLSA) overtime will only be suspended as authorized by the FLSA.

3.2.3.5 Reduction in Pay or Paid Leave

The District may reduce an employee's pay or paid leave for cause. A reduction in pay for disciplinary purposes may take one (1) of three (3) forms:

1. A decrease in base rate of pay to a lower step within the salary range;
2. A decrease in base rate of pay to an employee for a fixed period of time; or
3. Loss of accrued paid annual leave or administrative leave.

Documents related to a reduction in pay shall become part of the employee's personnel file when the reduction in pay is final and documented in the employee performance evaluation.

3.2.3.6 Demotion

The District may demote an employee from his or her current position to a lower-level position or lower salary allocation for cause. The employee must still meet the minimum qualifications for the lower-level position. Such demoted employee shall not be eligible for a promotion for a period of six (6) months, unless an earlier date is otherwise recommended and approved by the General Manager.

A new Employee Performance Evaluation date shall be established unless otherwise recommended and approved by the General Manager.

Documents related to a demotion shall become part of the employee's personnel file when the demotion is final and documented in the employee performance evaluation.

3.2.3.7 Y-Rate

The District may choose to Y-rate an employee when he or she is reassigned to a classification with a lower wage range on the salary schedule. The process of y-rating will allow the employee's base rate to remain the same. Y-rating will automatically end once future increases bring the employee's new wage range up to a level where the employee's Y-rated wage falls within the new wage range.

3.2.3.8 Termination

The District may dismiss an employee from his or her position for cause. Documents related to the dismissal shall become a part of an employee's personnel file when the dismissal is final.

3.3 EXPECTATIONS

3.3.1 Personal Appearance

Maintaining an appropriate professional appearance is essential to employment at the District. Appropriate appearance means attire and overall appearance that reflects positively on the District, meets the day-to-day needs of the work being done, and is consistent with this policy.

As representatives of the District, employees must present a clean and professional image to customers, coworkers and management. Employees must practice good grooming and personal hygiene. Employees must dress in uniform, and appropriate safety wear if required or in a professional and appropriate manner otherwise. Appropriate footwear must be worn at all times during work hours or on stand-by duty.

Employees should check with their supervisor for guidance on questions relating to their workplace attire.

Employees who may be called on to switch job assignments during the day, must have appropriate work related changes of clothing with them for the assignment.

EXAMPLE: A meter reader on a hot day is wearing shorts and running shoes as he walks his route. He gets a call, pulling him from the meter route to help fix a leak. He changes into work pants, hard hat and steel toe boots for that job.

3.3.2 Logo Attire

Employees may only wear District uniforms for District-related business, and shall not publicly wear District uniforms during non-work hours or for purposes unrelated to the provision of services for the District. Employees who fail to comply will be subject to discipline.

In order to maintain professional appearances and to prevent non-employees from wearing disposed District clothing, all worn District uniforms must be discarded.

3.3.3 Customer Relations

The District's image to customers and the general public is critical to our success. Accordingly, each employee is responsible for ensuring that his or her personal image and the District's image is raised to the highest possible level. All employees are expected to be prompt, polite, courteous and attentive to District customers and the public.

3.3.4 Limitations on Solicitations, Distribution and Access

Employees are prohibited from soliciting for charitable, nonprofit or personal activities during work hours. Circulating materials, such as school fundraisers or charitable walk-a-thons, is permitted during meals or breaks and before or after work.

4.1 WORKING HOURS

4.1.1 Regular Hours of Work

The regular hours of work each day are consecutive except for interruptions for meal periods. The 40-hours workweek consists of seven (7) consecutive days. "Overtime" is defined as time worked in excess of 40 hours worked in a workweek or time worked in excess of nine hours worked on a regularly scheduled work day.

The District designates 9/80 workweek periods for all employees. The 9/80 work schedule consists of eight (8) work days of nine (9) hours and one (1) work day of eight (8) hours for a total of 80 hours during two (2) consecutive workweeks. The District's 9/80 work schedule, has a 30-minute or one-hour meal period. For all employees working a 9/80 schedule their workweek shall begin exactly four (4) hours into their eight (8) hour shift on the day of the week that constitutes their alternative flex day off (FDO).

Appendix F contains the District's 9/80 Alternative Workweek Policy.

Employees' hours include an unpaid 30-minutes or one-hour meal break, and two paid fifteen (15) minute breaks during each consecutive four (4) hours worked.

4.1.2 Punctuality and Attendance

Attendance and punctuality that is observant of scheduled hours on a regular basis is an essential function.

4.1.2.1 Punctuality

An employee who is not at work and ready to start working at his or her scheduled work time is considered tardy. More than three (3) instances of tardiness by a non-exempt employee during any twelve (12) month period is considered excessive. Any unexcused absence is considered excessive. Excessive tardiness or absence is grounds for discipline, up to and including termination.

4.1.2.2 Attendance

Employees who are unable to report for work on any particular day must call their supervisor no less than 30 minutes before the beginning of the work day. Absent extenuating circumstances, employees must call in on any day they are scheduled to work and will not report to work. When an employee is absent for three (3) or more consecutive days, as a result of an injury or illness, a doctor note shall be required before the employee returns to work.

4.1.2.3 Request for Time Off

Employees shall request leave in advance with a minimum number of days' notice equal to the number of days of planned leave.

4.1.2.4 Excessive Absences

One or more absences that is not preapproved, in consecutive pay periods may be considered to be excessive and subject to review by the General Manager and may be grounds for discipline, up to and including termination.

4.1.3 Job Abandonment

A constructive resignation occurs and is effective when an employee has been absent from duty for three (3) or more consecutive working days without authorized leave. The District may consider that a constructive resignation has occurred due to the absence, or that the absence provides a reasonable basis for believing that the employee has abandoned the job.

At minimum, one (1) phone call in an attempt to speak with the employee will occur. A voice message may be left for the employee.

After being absent for three (3) consecutive working days, a written notice will be sent via U.S.P.S. Priority Mail, including a Proof of Service Form, to the employee. If known, a notice may also be sent to the employee's personal e-mail address. The employee will be given written notice, at employee's address of record, of the circumstances of the job abandonment, and an opportunity to provide an explanation for employee's unauthorized absence. The employee will be provided five (5) calendar days to respond in writing why employee's employment with the District should not be terminated due to job abandonment or to arrange for an appointment with the General Manager before final action is taken to explain the unauthorized absence and failure of timely notification. The decision of the General Manager is final.

4.2 COMPENSATION

4.2.1 Overview

The current salary schedule is available to employees and posted on the District's website. Only the grade level and classifications, including unfilled classifications, are displayed.

4.2.2 Fair Labor Standards Act

As a public agency, the District falls under the governance of the Fair Labor Standards Act (FLSA). FLSA regulates the wages paid to District employees, including overtime and recordkeeping. Information on the FLSA is posted on the District's bulletin boards. Employees who have questions regarding the FLSA should speak with the Director of Finance.

4.2.3 Pay Periods

All employees of the District are paid every other Friday. Time sheets for payroll are due to the Finance Department on Monday before the pay date. The biweekly payroll covers work performed to date for all employees. Direct deposit is encouraged for all employees. Further information on direct deposit is available from the Director of Finance.

All employees are expected to enter their time worked every day on their time sheet, which must be turned in by 8:00 a.m. on the payroll due date. Employees should direct questions regarding payroll to their supervisors. The employee's

responsibility is to complete the time sheet accurately and submit it to their supervisor to review and approve. Failure to submit an accurate time sheet on time may result in a delay of payment or discipline, up to and including termination if the inaccuracy is intentional or due to gross negligence.

4.2.4 Wage Garnishment

The District must comply with court orders directing garnishment of wages. A garnishment will reduce the employee’s take-home pay.

4.2.5 Longevity Pay

Longevity pay is to recognize an employee’s long-term service to the District. Annual Longevity Pay amounts are based on the length of service with the District, beginning at year six (6) and capping at year 20, and provides a fixed amount on their anniversary date. Employees will receive a fixed amount, per year, up to the 20th year where it will cap. The employee will continue to receive the Longevity Pay annually, for every year following the 20th year at the capped amount. The following longevity amounts are listed on the table as follows:

Years of Service	Longevity Pay
6	\$200
10	\$300
15	\$500
20	\$700

Payment shall be made during the same pay period following the employee’s anniversary date in which the employee is eligible to receive longevity pay. This includes employees on workers’ compensation leave.

Longevity Pay is not considered part of the employee’s base annual salary.

4.2.6 Overtime Pay

Non-exempt employees shall be eligible for overtime compensation. No employee shall work overtime unless the employee’s immediate supervisor authorizes the additional work time. Employees who work unauthorized overtime will be compensated for such work, but will be subject to discipline, up to and including termination.

All hours worked over a regularly scheduled nine (9) hour work day or time worked in excess 40 hours in a workweek shall be paid at the overtime rate of one and a half (1.5) times the employee’s regular rate of pay. An employee will be paid for overtime worked by rounding up to the nearest fifteen (15) minute interval.

EXAMPLE: If a non-exempt employee who is scheduled for a nine (9) hour work day works an additional hour, he or she will be paid one (1) hour overtime, even if he or she has not exceeded 40 hours in that week.

Time worked does not include annual leave, or other leave whether paid or unpaid. No employee may work more than twelve (12) hours in a twenty-four (24) hour

period without the approval of the General Manager or his or her designee.

Exempt employees are not eligible for overtime pay.

4.2.7 Working Early/Staying Late

Non-exempt employees shall not enter or remain in District work areas for any purpose except to report for, be present during and to conclude a work period. Without approval by their supervisor, non-exempt employees must not begin work and clock in at his or her working area more than seven (7) minutes before they are scheduled to begin and must stop work and clock out from his or her work area no later than seven (7) minutes after their work scheduled for the day is completed. Work area does not include District parking lots, gates or other similar outside areas. Employee work time is rounded up or down to the nearest fifteen (15) minutes interval.

EXAMPLES: An employee clocks out at the end of a workday at 5:03 pm. His or her time card will be rounded down to 5:00. Another employee stays a few minutes later at his or her supervisor's request and clocks out for the day at 5:12 pm. His or her time card is rounded up to 5:15 pm.

4.2.8 Working on Holidays

Employees required to work on a scheduled holiday shall be paid time and a half of the employee's base rate of pay.

4.2.9 On-Call Duty

A schedule is maintained by a designated supervisor or designee whereby qualified operation employees are assigned on a rotational basis to be on-call on weekends, holidays, and other times outside of regular business hours for the District. Employees assigned to on-call duty are paid \$50 for an on-call period. An on-call period is 24 hours.

Employees who are assigned to on-call duty are required to receive calls, report for work whenever needed and to keep their supervisor informed of the telephone number where they can be reached. The on-call employee must respond by telephone within five minutes of receiving notification of a call-out event and must respond in person within 45 minutes.

Each qualified operation employee is eligible for on-call duty. The District can mandate an employee to serve on-call duty. Any employees who would like to switch their scheduled on-call week(s) must obtain approval from the designated supervisor or designee at least seven (7) days in advance of his or her scheduled on-call shift.

4.2.10 Call-Out

Employees serving on-call are subject to a call-out event. Employees who respond to a call-out event will be compensated for travel time from their homes to the event location. An on-call, non-exempt employee who is called to work outside of his or her regularly scheduled shift shall be paid for a minimum of two (2) hours. The employee shall be paid for call-out time worked at the applicable straight-time or overtime rate.

EXAMPLE: Ann is on-call on a Thursday evening when she receives a call-out to

a suspected leak. While she is at the site investigating the leak, she receives another call for a water turn-on. These two (2) calls are a single call-out and Ann will be paid a minimum of two (2) hours, plus any additional time it takes to complete the second work order.

4.2.11 Call Back

When an employee returns to work because of a District request made after the employee has completed his or her normal work shift and left the work station, the employee shall be credited with two (2) hours plus any hours of work in excess of two (2) hours in which the employee is continuously engaged in work for which he or she was called back.

The two (2) hour minimum shall apply only when an employee is required to physically return to work (e.g. leave home or another off duty location) in order to perform required duties. An employee who performs work after regular work hours, but who is not required to leave home, shall be compensated at one and a half (1.5) times pay as per overtime provisions.

Call back provisions, including the two (2) hour minimum, shall not apply if an employee is called to work within one (1) hour of the employee's normal starting time. An employee who is called to work within the one (1) hour prior to the normal starting time, shall be compensated under normal overtime provisions.

EXAMPLE: Tom's normal work schedule is 7:00 AM to 4:30 PM. Tom receives a call back at 6:00 AM and must come into work early. Since the call back is no more than one (1) hour prior to Tom's normal start time, Tom will not receive a two (2) hour minimum pay but one (1) hour of pay.

5.1 INTRODUCTION**5.1.1 Notice**

This chapter of the Employee Policy Manual is intended to provide a general overview of the benefits currently available to eligible employees of the District. State and/or federal laws govern some of these benefits, while others are determined by the District or governed by a benefit provider. Should there be a discrepancy between the contents of this manual and a provision of an applicable law, benefit plan, or contract, then the law, plan document, or contract will prevail.

This manual does not describe all the exclusions, limitations, or conditions of the benefit programs. Employees who wish to review any official plan documents or who have questions about employee benefits may make an appointment with the Director of Finance for that purpose.

The District reserves the right to curtail, reduce, change, suspend or discontinue any non-vested benefit in its sole discretion at any time. Employees will be notified of any changes in employee benefit programs. The District's right to make these changes is not limited by an employee's length of service or by an employee's reliance on availability of benefits or any other factor. Employees who are normally scheduled to work thirty-two (32) hours or more per week are entitled to the full benefits offered by the District. Part-time employees who are normally scheduled to work less than twenty (20) hours per week and temporary employees are not eligible for benefits unless required by law.

5.1.2 Administration of Employee Benefits

All of the employee benefit programs at the District are administered by the District or its designated administrators. The District reserves the exclusive authority and discretion to determine all issues of eligibility and all questions of interpretation and administration of each benefit program.

5.2 HOLIDAYS

5.2.1 Observed Holidays

The District observes the following 12 paid holidays:

- January 1, New Year's Day
- Third Monday in January, Martin Luther King's Birthday
- Third Monday in February, Presidents' Day
- March 31, Cesar Chavez Day
- Last Monday in May, Memorial Day
- July 4, Independence Day
- First Monday in September, Labor Day
- November 11, Veterans' Day
- Fourth Thursday in November, Thanksgiving Day
- Fourth Friday in November, Day after Thanksgiving Day
- December 24, Christmas Eve
- December 25, Christmas Day

5.2.1.1 Recognized Holiday Dates

Each year, the General Manager will designate the recognized dates of District holidays. When an authorized holiday falls on a Saturday, the preceding Friday shall be observed as an authorized paid holiday; or when an authorized holiday falls on a Sunday, the following Monday shall be observed as an authorized paid holiday. If a holiday falls on a 9/80 Flex Day Off, the General Manager will determine when the holiday will be designated.

5.2.2 Paid Administrative Benefits

The District provides paid administrative benefits to its regular full-time and regular part-time exempt management employees. This benefit is a means of rewarding and encouraging management employees to participate in and attend meetings, activities and events on behalf of the District and to spend time outside of normal working hours otherwise in the service of the District. Paid administrative benefits is not considered annual leave and is a privilege of paid time away from work.

5.2.2.1 Eligibility and Accrual

Regular full-time exempt employees are allocated 40 hours of paid administrative benefits and regular part-time employees are allocated 20 hours of paid administrative benefits on the first day of each fiscal year (July 1).

New exempt employees or promoted employees will receive paid administrative benefits on the first day of their exempt status as follows:

- a. If the start date falls after July 1, but before December 31, the exempt employee will receive 40 hours of paid administrative benefits.
- b. If the start date falls after January 1, but before, June 30, the exempt employee will receive 20 hours of paid administrative benefits.

5.2.2.2 Use of Paid Administrative Benefits

Paid Administrative Benefits may be granted in one day increments provided such time is available at the time of use. Selection of paid administrative benefit dates is subject to written approval from the employee’s supervisor with a minimum notice of five (5) business days prior to the start of requested paid administrative benefits.

The use of paid administrative benefits must be recorded in the District’s payroll records.

Paid administrative benefits cannot be cashed out and unused time cannot be rolled over into a new fiscal year. Upon separation of service, unused paid administrative benefits will not be paid to eligible employees.

5.3 ANNUAL LEAVE PROGRAM

5.3.1 Annual Leave Program

The District provides annual leave benefits to its regular full-time and part-time employees. The annual leave benefits combine the time-off accruals for vacation and sick leave into one account. This benefit is a method of furthering the health and general welfare, as well as establishing standards to ensure maximum and reasonable job attendance.

5.3.1.1 Eligibility and Accrual

Regular full-time and part-time employees begin to accrue annual leave benefits on the first day of employment on a biweekly basis. Annual leave for regular part-time employees will be prorated at 50% of the full-time accrual rate.

Regular full-time employees will accrue paid annual leave benefits based on a bi-weekly service as follows:

Accruals per Years of Service	Accruals per Pay Period	Annual Leave In Days*
Less than 1 to 1 year	7.08	23.00
2	7.38	24.00
3	7.69	25.00
4	8.00	26.00
5	8.31	27.00
6	8.85	28.75
7	9.38	30.50
8	9.92	32.25
9	10.46	34.00
10	11.00	35.75

5.3.2.2 Maximum Accrual

Annual leave benefits may be accrued up to a maximum of 600 hours for Full-time employees and 300 hours for Part-time employees. Employees who have reached the maximum accrual cease to accrue annual leave

benefits until they have used enough annual leave time to fall under the maximum.

Employees may, upon written request and approval by the General Manager, be permitted to receive a cash payment of their accrued, unused annual leave benefits based on the following:

- a) An employee must use eighty (80) hours of annual leave during the twelve (12) months immediately preceding a cash-out payment request. For this purpose, "use" shall mean taking time off work and being paid annual leave pay for such time off. If the employee has not used the required hours of annual leave in the twelve (12) months immediately preceding the cash out, the employee's cash-out request shall be denied.
- b) Employees have the option to cash out Annual Leave accruals earned in the subsequent year up to a maximum that is equal to the employee's Annual Leave accrual rate granted the remaining annual leave balance is at least eighty (80) hours. The cash out option is limited to twice per year.

5.3.2.3 Use of Annual Leave Benefits

Annual leave benefits may be granted in minimum units of a quarter hour provided such time has been earned at the time of use. Selection of annual leave benefit dates is subject to written approval from the employee's supervisor. Employees are expected to schedule Annual Leave time off in advance with the supervisor.

Time away from work for urgent or emergency situations involving illness or injury is unscheduled and requires the employee to contact his supervisor as soon as possible. The District reserves the right to require substantiation (including, but not limited to, a doctor's certificate or a sworn affidavit). Frequent use of short periods of sick leave is indicative of inability to perform as expected by the District and may result in dismissal for lack of reliability.

Employees must take work schedules into consideration when requesting and/or granting leave so as to insure adequate coverage.

While using Annual Leave, employees shall be compensated at the same salary rate they would have received if they had been on the job.

If a paid holiday falls within a time period when the employee is using annual leave credits, the holiday shall not be charged to Annual Leave.

It is the employee's responsibility to record used annual leave on his or her time sheet.

Eligible employees may take no more than 10 (ten) consecutive working days of annual leave benefits in a single annual leave unless approved by the General Manager.

Employees who leave the District through retirement, voluntary

termination, or death can cash out 100% of their Annual Leave balance.

All accrued Annual Leave credits shall be paid at the employee's regular rate of pay at the time of termination, death, or retirement.

5.3.2.4 When Annual Leave Benefits are Exhausted

If an absent employee exhausts his or her accrued annual leave benefits, the employee may request unpaid time off subject to the approval by the General Manager.

5.3.2.5 When on Leave of Absence Without Pay

An employee who is on Leave of Absence Without Pay shall not accrue Annual Leave credits. At the District's discretion, all Annual Leave may be required to be exhausted before an employee may be placed on Leave of Absence Without Pay.

5.4 CATASTROPHIC ILLNESS LEAVE DONATION

5.4.1 Catastrophic Illness Leave Donation

The District has established a policy to allow employees to voluntarily donate accrued leave time to fellow employees who are incapacitated due to a medical emergency and who have exhausted all other paid leave credits, including any annual leave and paid administrative benefits.

5.4.1.1 Medical Emergency

For purposes of this policy, a "medical emergency" means a medical condition of the employee or an immediate family member of the employee that will require the prolonged absence of the employee from duty and will result in a substantial loss of income to the employee because the employee will have exhausted all paid leave.

5.4.1.2 Donated Leave Requests and Receipt

All leave donations and requests for receipt of donated leave must be approved by the General Manager. The General Manager may approve a donation request in full, deny it outright, or approve it at a reduced number of hours. The decision whether or not to approve a leave donation or the receipt of donated leave is made at the sole discretion of the General Manager, and is not subject to any grievance procedure.

5.4.1.3 Qualifications for Leave Donations

In order to qualify for leave donations, an employee must submit a written application describing the medical emergency to the Director of Finance. The application should include appropriate verification of the need for leave from the employee's or family member's medical provider. The application must also specify the number of leave hours requested. The employee may, but is not required to, voluntarily include information about the nature of the medical emergency in order to inform prospective leave donors. Although an employee is ineligible to receive donated leave while he or she has accrued leave available, a donation application may be submitted prior to the anticipated date that all leave balances will be exhausted.

5.4.1.4 Medical Information

Upon receipt of a valid request for donations from an eligible employee, the Director of Finance shall prepare a notice to all District employees of the eligible employee's need for donations. Confidential medical information shall not be included in the posted notice unless voluntarily provided by the requesting employee for this purpose.

5.4.1.5 Voluntary Donations

All donations are entirely voluntary. Donations are irrevocable, as donated leave is deemed to be surrendered to the District. The Employee shall be responsible for compliance with all applicable state and federal tax laws concerning the leave donation and the deductibility thereof.

Donations must be made in whole-hour increments.

5.5 INTEGRATION OF OTHER BENEFITS

5.5.1 Workers' Compensation

A covered employee who is entitled to receive temporary disability indemnity under the California Labor Code (Workers' Compensation) may elect to take only that portion of annual leave benefit that, when added to the employee's disability indemnity, will equal the employee's total base salary. The election must be made by filing a request to integrate these benefits with the Director of Finance prior to the end of the bi-weekly pay period.

5.5.2 State Disability Insurance (SDI)

Eligible employees are covered by State of California Disability Insurance pursuant to the California Unemployment Insurance Code. Disability insurance is payable when the employee cannot work because of illness or injury not caused by employment at the District, or when the employee is entitled to temporary workers' compensation at a rate less than the daily disability benefit amount. Specific rules and regulations governing disability payments are available from the Director of Finance.

5.5.3 Social Security

District employees pay into Social Security. Employee wages are also subject to Medicare tax.

5.6 INSURANCE BENEFITS

The District contributes \$1,874 per month to the group health plan medical premiums, dental, and vision insurance premiums for regular full-time employees including employees with work schedule of 32 hours or more per week. In addition, the District contributes \$937 per month for regular part-time employees with work schedule of 20 hours or more per week. Employees are required to contribute if the total cost is over \$1,874. The District reserves the right to eliminate or modify any of its benefits at any time.

5.6.1 Group Medical Insurance

5.6.1.1 Coverage Effective Date

Group medical insurance coverage begins on the first day of the month following one (1) full month after employment.

EXAMPLE: If a regular full-time employee begins employment on January 4th, the medical insurance is effective on March 1st

5.6.1.2 Eligibility

Regular full-time employees and eligible part-time employees are insured by a choice of group medical plans sponsored by the District. Employees are required to work a minimum of 20 hours per week to be eligible for group medical insurance.

Each employee should verify eligibility for coverage before undergoing treatment in order to ensure that treatment is covered.

5.6.1.3 Coverage

Coverage shall be in accordance with the terms of the medical insurance plan as it exists. Employee's family members, including registered domestic partners, may participate in the medical insurance plans offered by the District. Coverage may be maintained for children to the age of 26.

For regular full-time employees and eligible part-time employees, open enrollment will be held once a year, to allow the selection of health plans. Individuals with a qualifying event, as defined by federal law, such as a change in marital status or change in number of dependents, may make a change within the individuals' medical plan by contacting the Director of Finance within ten (10) days of the qualifying event to obtain the required form. Employees with a non-qualifying event, such as an address change, must also contact the Director of Finance as quickly as possible.

5.6.1.4 District Contribution

Group medical insurance coverage will not be covered by the District during an unpaid leave of absence or during disability leave (other than the District's pregnancy disability leave policy). In such cases, the employee may reimburse the District for the premium (which may include an administration fee).

Continuance of group medical insurance coverage upon separation from the District will be provided under COBRA.

For further information regarding annual maximum contributions or other questions regarding group medical insurance coverage, please contact the Director of Finance.

5.6.2 Group Dental Insurance

5.6.2.1 Coverage Effective Date

Group dental insurance coverage begins on the first day of the month following one (1) full month after employment.

EXAMPLE: If a regular full-time employee begins employment on January 4, the group dental insurance coverage is effective on March 1.

5.6.2.2 Eligibility

Regular full-time employees and eligible part-time employees are insured by group dental insurance coverage sponsored by the District. Employees are required to work a minimum of 20 hours per week to be eligible for group dental insurance.

5.6.2.3 Coverage

Coverage shall be in accordance with the terms of the group dental insurance plan as it exists. Employee's family members, including registered domestic partners, may participate in the group dental insurance plan offered by the District. Coverage may be maintained for dependent children to the age of 26.

5.6.2.4 District Contribution

Group dental insurance plan coverage will not be covered by the District during an unpaid leave of absence or during disability leave (other than the District's pregnancy disability leave policy). In such cases, the employee may reimburse the District for the premium (which may include an administration fee).

Continuance of group dental insurance plan coverage upon separation from the District will be provided under COBRA.

For further information regarding group dental insurance, please contact the Director of Finance.

5.6.3 Group Vision Insurance

5.6.3.1 Coverage Effective Date

Group vision insurance plan coverage begins on the first day of the month following one (1) full month after employment.

EXAMPLE: If a regular full-time employee begins employment on January 4th, the group vision insurance plan coverage is effective on March 1st.

5.6.3.2 Eligibility

Regular full-time employees and eligible part-time employees are insured by a group vision insurance plan. Employees are required to work a minimum of 20 hours per week to be eligible for group vision insurance coverage.

5.6.3.3 Coverage
Coverage shall be in accordance with the terms of the group vision insurance plan as it exists. Employee's family members, including registered domestic partners, may participate in the group vision insurance plan offered by the District. Coverage may be maintained for children to the age of 26.

5.6.3.4 District Contribution
Group vision insurance plan coverage will not be covered by the District during an unpaid leave of absence or during disability leave (other than the District's pregnancy disability leave policy). In such cases, the employee may reimburse the District for the premium (which may include an administration fee).

Continuance of group vision insurance plan coverage upon separation from the District will be provided under COBRA.

For further information regarding group vision insurance, please contact the Director of Finance.

5.7 ANCILLARY AND OTHER BENEFITS

The District's contributes \$100 per month to provide long-term disability insurance, life insurance, and employee assistance program. Employees are required to contribute if the total cost is over \$100.

5.7.1 Group Life Insurance

5.7.1.1 Coverage Effective Date
Group life insurance plan coverage begins on the first day of the month following one (1) full month after employment.

EXAMPLE: If a regular full-time employee begins employment on January 4, the group life insurance plan coverage is effective on March 1.

5.7.1.2 Eligibility
Regular full-time employees and eligible part-time employees are insured by a group life insurance plan. Employees are required to enroll in the group life insurance plan. Employees are required to work a minimum of 20 hours per week to be eligible for group vision insurance coverage.

5.7.1.3 Coverage
Employees may not opt out of group life insurance plan coverage. Coverage shall be in accordance with the terms of the group life insurance plan as it exists.

Group life insurance coverage will not be covered by the District during an extended leave of absence (other than pregnancy disability leave).

5.7.1.4 District Contribution
The District will pay the group life insurance plan premium rates for

eligible employees. The District reserves the right to eliminate or modify any of its benefits at any time.

Group life insurance plan coverage will not be covered by the District during an unpaid leave of absence or during disability leave (other than the District's pregnancy disability leave policy). In such cases, the employee may reimburse the District for the premium (which may include an administration fee).

In the event of any increase in group life insurance premium rates, all employees may be required to contribute to the cost of increased premiums to retain coverage at the discretion of the Board of Directors.

For further information regarding group life insurance plan coverage, please contact the Director of Finance.

5.7.2 Employee Assistance Program

Regular full-time employees and their dependents are entitled to use the District's Employee Assistance Program (EAP). EAP coverage begins on the first day of the month following one (1) full month after employment.

EXAMPLE: If a regular full-time employee begins employment on January 4th, EAP services are available as of March 1st.

The EAP is designed to provide eligible employees and their dependents with many services such as referrals for employer-requested assistance, personal counseling and financial assistance.

For EAP contact information, employees may contact the Director of Finance. EAP is completely confidential.

5.7.3 Flexible Savings Accounts

Employees may redirect portions of their pre-tax salaries into funds commonly known as "cafeteria plans" or "flexible spending accounts" (FSA), up to the federally identified yearly deduction for dependent care and health benefits. This reduces the employee's taxable income, but still gives the employee use of the money for important life purchases, such as child care or medical co-pays.

5.7.3.1 Flexible Spending Account

An FSA is tax-exempt for contributions, earnings, and withdrawals for qualified yearly expenses, such as medical expenses or dependent care expenses. An FSA has a grace period of March 15 of the following year in which claims must be submitted. Unexhausted funds will remain with the District to offset costs of administering benefits.

5.7.4 Workers' Compensation Insurance

District employees are protected by Workers' Compensation Insurance while employed by the District at no cost to employees. The policy covers employees in case of occupational injury or illness. Every occupational injury or illness, no matter how slight, must be reported immediately to a supervisor. The supervisor will explain the steps that should be taken next.

5.7.5 Clothing Allowance

The District offers an annual reimbursement of up to \$250 for field service personnel for personal protective equipment (PPE), e.g. steel/composite toe boots. Rain clothes and coats are provided for field service personnel and paid for by the District.

All personnel may be provided with logo shirts.

5.7.6 Membership in Organizations

The District may assist employees in the payment of membership dues for organizations related to the services and operations provided by the District. The General Manager has the sole discretion to decide whether the District will contribute toward membership dues for such organizations.

5.7.7 On-Duty Education

The District encourages the academic advancement of its employees in subjects related to District functions, including job-related courses leading to a degree or certification and may provide financial assistance to employees who enroll in and complete courses in accordance with this section.

Notwithstanding the provisions of this section, District employees in certain job classifications are required to obtain certain certification(s) within their first year of employment. Those failing to meet the published requirements may be subject to disciplinary action, up to and including termination. The employee's supervisor will inform the employee at the beginning of employment with the District if the employee is required to obtain one (1) or more of the above-referenced certifications.

5.7.7.1 On-Duty Education

Employees may, with prior approval and the General Manager's sole discretion, attend seminars, conferences, workshops, cross-training activities, or meetings during regular working hours that provide specific training in subjects related directly to the employee's position, or a position the employee may reasonably aspire to obtain.

General Manager approval for all training requests must be obtained prior to attendance and/or making reservations. Reasonable fees, tuition, and approved expenses will be paid by the District; however, for courses and tests required to obtain or renew a license or certification required in the class specification for their position, employees will be reimbursed for fees, tuition and approved expenses only after successfully obtaining the required license or certificate. If an employee fails a certification or licensing exam on his or her first effort, all subsequent expenses related to obtaining that certification must be paid by the employee.

6.1 ABOUT LEAVES OF ABSENCE**6.1.1 Overview**

This Manual contains only a summary of available leaves. Some leaves have detailed requirements regarding eligibility, duration, benefits, etc. Employees should contact the Finance Director for additional information.

6.1.2 Bereavement

In the event of the death of a current spouse, registered domestic partner, child (step-child), parent (step-parent, legal guardian or parental figure), brother (step-brother), sister (step-sister), grandparent, grandchild or grandparent-in-law -, mother-, father-, sister-, brother-, son-, or daughter-, an employee may have up to twenty-four (24) hours paid leave with the approval of the General Manager.

Bereavement leave is not compensable when the employee is on a pre-approved (paid or unpaid) leave of absence, bona fide layoff, or for days falling outside the employee's regular work period.

6.1.3 Court Appearances**6.1.3.1 On-Duty Time**

Any regular employee called as a witness arising out of and in the course of District employment will be deemed to be on-duty and there will be no loss of salary, but any witness fees, not including mileage, received by the employee will be paid to the District.

Employees released from witness duty during their normal duty hours will report back to work unless employees contact their direct supervisors and receive authority not to return to work. Non-exempt employees may use accrued annual leave for the remaining hours. Exempt employees who serve less than four (4) hours of witness duty may use accrued annual leave for the remaining hours.

6.1.3.2. Private Litigation

Any employee called as a witness in a private or civil matter outside the course and scope of their District employment will not be compensated by the District. Employees may use accrued annual leave. It is the employee's responsibility to make arrangements for payment of witness fees from the involved parties in accordance with the California Code of Civil Procedure.

6.1.4 Hardship Leave

In extraordinary circumstances, the General Manager has the discretion to grant up to five (5) days of paid leave to an employee who needs to take time off from work due to a significant hardship, and who has exhausted all other annual leave accruals, including paid administrative benefits.

Examples of circumstances that could demonstrate a significant hardship include, but are not limited to, the following:

- The employee was the victim of domestic violence, sexual assault, or stalking;
- The employee was a victim of a serious or violent crime;
- The employee was a victim of a major disaster or emergency.

An employee requesting discretionary hardship leave must submit in writing to the Director of Finance describing the hardship in question. The General Manager may request additional information or require appropriate documentation before deciding to grant hardship leave. The requesting employee must exhaust all applicable paid leave before he or she is eligible to receive hardship leave. However, applying for hardship leave may be submitted prior to the anticipated date that leave balances will be exhausted.

The decision whether or not to grant paid leave pursuant to this section is made at the sole discretion of the General Manager, and is not subject to any grievance procedure.

The decision to grant or deny leave under this section does not affect an employee's entitlement to unpaid leave pursuant to other provisions of this Manual or applicable law. Hardship leave runs concurrently with any applicable unpaid leave provided by law.

6.1.5 Jury Duty

The District encourages employees to serve when called for jury duty. Exempt employees will receive full regular base rate of pay for up to three (3) days of jury duty, less any daily jury fees paid by the court.

Non-exempt employees will receive full regular base rate of pay while serving up to three (3) days of jury duty. The time spent on jury duty is not considered work time for purposes of calculating overtime.

Employees who have the option to call in for juror status should exercise that option. The employee will provide to his or her supervisor evidence of jury service, such as notice for jury duty and any time cards or similar appearance documents issued by the court.

6.1.6 Leave of Absence Without Pay

The General Manager may grant unpaid leaves of absence to employees in certain circumstances. It is important to request any leave in writing as far in advance as possible, to maintain contact with the supervisor and the Director of Finance during a leave, and to give prompt notice if there is any change in the return date. If the leave of absence expires and the employee fails to report for work on the scheduled return date without contacting his or her supervisor and the Director of Finance, it will be assumed that the employee does not plan to return and has terminated his or her employment voluntarily. If the employee is unwilling or unable to return to work at the conclusion of any leave, employment may be terminated.

The employee must exhaust his or her accrued annual leave before beginning an unpaid leave of absence. Annual leave is not earned during an unpaid leave of absence, and an employee on an unpaid leave of absence is not eligible for

holiday pay. An unpaid leave of absence can affect an employee's medical benefit plan coverage.

Employees must present verification of their need for a leave of absence for leave approval. An approved leave of absence may be up to eight (8) weeks, unless otherwise approved by the General Manager or provided by law.

Employees cannot obtain other employment (other than military duty) or apply for unemployment insurance while on a leave of absence. Acceptance of other civilian (non-military) employment while on leave will be treated as a voluntary resignation from employment with the District.

6.1.7 Military Leave

The District provides military leaves of absence to employees who serve in the uniformed services as required by the Uniformed Services Employment and Reemployment Rights Act of 1994 and applicable state laws.

The employee shall provide their supervisor with notice of the need for military leave when they are informed of the request for duty. A copy of the military orders specifying the dates, site and purpose of the activity or mission shall be provided to the supervisor upon receipt. Within the limits of such orders, the supervisor may determine when the leave is to be taken and may modify the employee's work schedule to accommodate the request for leave.

Employees on qualifying military leave will receive full pay to the extent provided by law. Employees on elective military leave may select to use annual leave during unpaid military leave. Employees on military leave are entitled to continued health plan coverage to the extent provided by the USERRA, the Uniformed Services Employment and Reemployment Rights Act of 1994. As with other leaves of absence, failure to return to work or to re-apply within applicable time limits may result in termination of employment.

Additionally, an employee who works more than 20 hours per week and who is the spouse of a qualified member of the Armed Forces, National Guard or the Reserves may be entitled to take up to ten (10) days of unpaid leave during a period in which his or her spouse is on leave from deployment during a period of military conflict.

6.1.8 New Parent Leave Act

Under the New Parent Leave Act, the District will provide twelve (12) weeks of unpaid, job protected leave for baby bonding purposes to qualified employees. The employee must have more than twelve (12) months of service and have worked at least 1,250 hours with the District during the twelve (12) months period prior to starting the leave.

During this time, the District will continue the employee's health care coverage at the level and under the same conditions as existed prior to the employee taking leave.

6.1.9 Paid Family Leave

California Paid Family Leave (PFL) provides up to six (6) weeks of partial pay to employees who take time off from work to care for a seriously ill family member

(child, parent, parent-in-law, grandparent, grandchild, sibling, spouse, or registered domestic partner) or to bond with a new child entering the family through birth, adoption, or foster care placement.

PFL is not a leave entitlement; rather, PFL is a monetary wage replacement benefit for employees taking leave that would otherwise be unpaid (e.g. New Parent Leave, Pregnancy Disability Leave, or a leave of absence without pay). This benefit is offered through State Disability Insurance (SDI) and the State of California Employment Development Department (EDD). Health care benefits are not covered while on PFL but may be covered under another provision of this Manual. For information on compensation and health care coverage, please contact the Director of Finance.

The District does not employ 50 or more employees; therefore, District employees are not eligible for benefits under the Family Medical Leave Act (FMLA).

6.1.9.1 Eligibility

- Employee has earned at least \$300 from which SDI deductions were withheld during the employee's base year.
- Employee is unable to do employee's regular or customary work due to the need to provide care for a seriously ill family member or to bond with a new child.
- Employee has lost wages because employee was caring for a seriously ill family member or bonding with a new child.

6.1.9.2 Definition

A serious health condition means an illness, injury, impairment, or physical or mental condition of a patient that involves any period of incapacity (e.g., inability to work or perform other regular daily activities) or inpatient care in a hospital, hospice, or residential medical care facility and any subsequent treatment in connection with such inpatient care; or continuing treatment by a physician/practitioner.

Unless complications arise, cosmetic treatments, the common cold, influenza, earaches, upset stomach, minor ulcers, and headaches other than migraines, are examples of conditions that do not meet the definition of a serious health condition for purposes of PFL.

SDI may require an independent medical examination of the care recipient to determine initial or continuing eligibility.

6.1.9.3 Applying for Paid Family Leave

An employee must apply directly to SDI for PFL benefits. An employee may apply through the Employment Development Department (EDD) website or by submitting a paper application to SDI.

An employee must complete and submit a claim form no earlier than the first day family leave begins, but no later than forty-nine (49) days after family leave begins or the employee may lose benefits.

SDI will notify the District that an employee is receiving PFL benefits.

6.1.10 Pregnancy Disability Leave

6.1.10.1 Temporary Disability

A pregnant employee will be allowed to be absent for the period during which, in the opinion of their attending physician and, where necessary, a District designated physician, the employee is temporarily disabled because of pregnancy, childbirth or a related medical condition.

When an employee is disabled due to pregnancy, the employee will furnish the District a certification from their health care provider. The certification must include a statement that the employee is disabled due to pregnancy, the date on which the employee became disabled due to pregnancy, the probable duration of the period or periods of disability, and an explanatory statement that, due to disability, the employee is unable to work at all or is unable to perform any one (1) or more of the essential functions of their position without undue risk to themselves, the successful completion of their pregnancy, or to other persons.

6.1.10.2 Time of Leave Request

When an employee's leave is foreseeable and at least 30 days' notice has been provided, and if a medical certification is requested, the employee must provide it before the leave begins.

When this is not possible, the employee must provide the requested certification to the District within the time frame requested by the District within 15 calendar days, unless it is not practicable under the particular circumstances to do so despite the employee's diligent, good faith efforts.

An employee is eligible for PDL upon commencement of employment. There is no length-of-service requirement for PDL.

6.1.10.3 Compensation During Leave

PDL is without pay. However, the employee may use accrued annual leave. PDL will be treated as any other disability leave and may entitle the employee to short-term / long-term disability benefits or additional unpaid leave requested by the employee and granted by the General Manager.

6.1.10.4 Benefits During Leave

In accordance with the State of California's Pregnancy Disability Leave law, an employee on PDL is entitled to up to four (4) months (17 1/3 weeks) of job-protected leave for the time that the employee is disabled due to pregnancy and/or childbirth. PDL does not need to be taken in one (1) continuous period of time.

If the employee is disabled by pregnancy, coverage will continue for up to four (4) months for each pregnancy (as opposed to each leave year).

While on PDL, the employee is entitled to continued coverage in the District's group health insurance and supplemental policies to the same extent as when the employee was working. As such, in order to maintain coverage,

employees are required to pay timely the full employee contribution to maintain their group health plan coverage, either through payroll deduction or by paying the District directly. The District may recover premiums it paid to maintain health coverage, if an employee does not return to work following PDL.

Annual leave does not accrue while an employee is on unpaid PDL.

Whenever an employee is also receiving PFL and PDL these leaves will run concurrently.

Part-time employees are eligible for leave on a pro-rated basis.

6.1.10.5 Reinstatement

Upon the expiration of PDL and the District's receipt of a written statement from the health care provider that the employee is fit to return to duty, the employee will be reinstated to their original or an equivalent position, so long as it was not eliminated for a legitimate business reason during the leave.

If the employee's original position is no longer available, the employee will be assigned to an open position that is substantially similar to the employee's original position in terms of job content, status, pay, promotional opportunities, and geographic location.

If upon return from leave an employee is unable to perform the essential functions of their job because of a physical or mental disability, the District will initiate an interactive process with the employee in order to identify a potential reasonable accommodation.

An employee who fails to return to work after the termination of their leave will lose their reinstatement rights.

6.1.10.6 Lactation

In accordance with California Labor Code § 1030, the District will provide a reasonable amount of break time to accommodate an employee desiring to express breast milk for the employee's infant child. The break time, if possible, will run concurrently with the employee's regular break time.

In accordance with California Labor Code § 1031, the District will make all reasonable efforts to provide the employee with the use of a room or other location, other than the restroom, in close proximity to the employee's work area, for the employee to express milk in private.

6.1.11 School Related Leave

Pursuant to the Family School Partnership Act (Labor Code § 230.8), any District employee who is a parent, guardian or grandparent having custody of one (1) or more children in kindergarten or grades 1 through 12 or attending a licensed day care facility will be allowed up to 40 hours each calendar year, not to exceed eight (8) hours in any calendar month, without pay, to participate in activities of the school of their child, or to find, enroll, or reenroll his or her child in a school or with a licensed child care provider. The employee must provide reasonable advance notice of the planned absence. This leave may also be used to address a child care provider or school emergency, if the employee gives notice to the employer.

The employee may be required to use annual leave to cover the absence. The District may require the employee to provide documentation from the school as verification that the employee participated in school activities on a specific date.

6.1.12 Substance Abuse Rehabilitation

If an employee decides to voluntarily enter a substance abuse rehabilitation program, he or she may be eligible for an unpaid leave of absence to participate in the program. The District will take reasonable steps to safeguard the privacy of any employee who identifies himself or herself as an individual with a dependency problem. An employee who wishes to identify himself or herself as such an individual can contact a supervisor or manager of his or her choice directly. (California Labor Code § 1025)

While the District generally encourages employees to take action to treat dependency problems, employees will not be reimbursed for the costs incurred in attending a rehabilitation program. Employees may, however, use annual leave during a requested leave.

When recommended by a Substance Abuse Professional (SAP) pursuant to Department of Transportation regulations, participation in and completion of the rehabilitation program is mandatory. Prior to return-to-duty testing, an employee must follow the rehabilitation program recommended by the SAP and agree to sign a return-to-duty agreement. The duration and frequency of follow-up testing will be determined by the SAP but will not be shorter than one (1) year or longer than five (5) years.

NOTE: Health insurance plans may provide coverage for rehabilitation costs. Health benefits information can be obtained from the District's Director of Finance.

6.1.13 Time Off for Victims of Violent Crime or Domestic Violence

In accordance with California Labor Code § 230.1-230.2, any District employee who is a victim of domestic violence or sexual assault is entitled to take time off from work to seek relief (such as a temporary restraining order) or other assistance to help safeguard the health, safety, or welfare of the employee and/or his or her child. The employee must provide reasonable advance notice of the intent to take leave for this reason unless advance notice is not feasible. An employee may be required to provide documentation establishing the right to such time off.

Leave for this purpose is unpaid, though an employee may choose to use any available accrued paid leave.

The District will make every effort to maintain the confidentiality of the employee.

6.1.14 Time Off to Vote

In accordance with California Election Code, § 14000, employees are eligible for paid time off for the purpose of voting if they do not have sufficient time outside of working hours to vote. The intent of the law is to provide an opportunity to vote to workers who would not be able to do so because of their jobs.

Subject to the conditions above, an employee may take up to two (2) hours off to vote in a statewide election, without any loss of pay, if the employee is scheduled to work during voting hours (typically 7 AM to 8 PM). In general, a "statewide

election” is defined as one (1) in which all voters in the state have an opportunity to vote on at least one (1) common race or issue. An employee is entitled to take as much time as actually needed to vote, but only up to two (2) hours of that time will be paid.

Time off for voting may be taken only at the beginning or end of the employee’s regular work shift unless other arrangements are approved in advance by the General Manager. If the employee needs time off to vote, the employee must notify his or her supervisor at least two (2) working days prior to the election. The employee must note on the employee’s time card the time approved for voting purposes.

An employee who serves as an election official in a local, special or statewide election, is eligible for an unpaid leave on the day of the election. Employees should give supervisors as much notice as possible if they plan to serve as an election official. (California Government Code § 19844.7)

6.1.15 Volunteer Firefighters’ Leave

If an employee is a registered volunteer firefighter who intends to perform emergency duty during work hours, the employee should alert his or her supervisor so that the District is aware that the employee may have to take time off to perform emergency duty. In the event the employee is a volunteer firefighter and needs to take time off for emergency duty, he or she should alert the supervisor before leaving District premises. (California Labor Code § 230.3- 230.4) Time off for volunteer firefighter duty is unpaid leave, but employees may use accrued annual leave.

6.1.16 Workers’ Compensation Leave

All employees will be covered by the workers' compensation laws of the state. Employees who are absent from work by reason of an injury or illness covered by workers’ compensation, will continue in pay status under the following provisions.

The District may integrate annual leave with temporary disability payments for an employee who is eligible for workers’ compensation. The employee will continue in pay status and receive his or her pay until his or her accumulated paid leave has been depleted to the nearest hour. Any employee who is eligible for temporary disability payments under the workers' compensation law will, for the duration of such payments, receive only that portion of the employee’s regular salary that, together with said payments, will equal the employee’s regular salary.

7.1 SAFETY**7.1.1 Injury and Illness Prevention Program**

The District is concerned about the safety of all employees and is committed to maintaining a safe work environment. District, State, and Federal law requires that employees be provided a working environment free from recognized safety hazards, and with proper tools and equipment necessary to accomplish work assignments in a safe manner. To achieve a safe work environment, the District has adopted an Injury and Illness Prevention Program (IIPP). All employees shall be familiar with the IIPP and are responsible for implementing safe practices, policies and procedures. Employees are expected to always act in the safest manner possible to protect themselves and others, therefore the District encourages every employee to take action to prevent unsafe working conditions. All supervisors maintain a copy of the IIPP and it is available upon request.

7.1.2 Personal Protective Equipment**7.1.2.1 Supervisor Responsibility**

Supervisors are responsible for training their employees on the use of Personal Protective Equipment (PPE). Employees are required to wear all PPE as required by their job function without exception.

Some employees are required to wear steel or composite toe cap boots. Additionally, employees who perform meter reading, who opt to wear tennis shoes, must have steel or composite toe cap tennis shoes.

7.1.2.2 Safety Compliance Standards

All boots and tennis shoes shall meet safety compliance standards and be identified with the ASTM F2413-11 number. ASTM F2413-11 is the Standard Specification for Performance Requirements for Protective (Safety) Toe Cap Footwear, which covers the minimum requirements for the design, performance, testing and classification of protective footwear. The identifying number for compliant shoes can be found on the inside of the tongue.

Employees are responsible for maintaining their PPE in good condition and replacing damaged items in a timely manner so as not to create safety hazards.

7.1.2.3 Failure to Comply

Failure to use required personal protective equipment is a violation of CAL-OSHA requirements and will result in disciplinary action up to and including termination of employment with the District.

7.1.2.4 Reimbursable Personal Protective Equipment

Boots and tennis shoes as defined in this section are reimbursable through the clothing allowance as defined in Section 5.10.3.

7.1.3 Workplace Violence Prevention

The goal of the District is to provide every employee a safe work environment. To this end it is the District's policy that violence, or the threat of violence, in the workplace will not be tolerated in any form. It is inappropriate to use violence, or threats of violence, for any reason or to in any way interfere with providing a safe workplace. Employees are expected to conduct themselves in accordance with the policies and regulations of the District.

7.1.3.1 Personal Safety

The District will provide reasonable accommodations to ensure the personal safety of its employees from outside parties. If a situation occurs where an employee feels they are in danger, they should remove themselves from the situation and immediately report the incident to a supervisor. The District will obtain a restraining order if necessary to protect employees from abuse by an individual not employed by the District if the threat is the result of District employment.

An Employee should notify the Director of Finance if a restraining order is in effect either protecting or restraining the employee or if the employee is connected in any way to a potentially violent non-work situation. Copies of any protective or restraining order must be provided to the Director of Finance.

Appendix G contains the District's Workplace Violence Prevention policy.

8.1 Use of District Owned Media

8.1.1 Purpose

This section defines standards, procedures and restrictions for employees who use District devices for business purposes. The District uses various forms of electronic communication, including, but not limited to personal and laptop computers, e-mail, telephones (landlines and mobile), fax machines, and online services (Internet and Intranet). All electronic communications, including all software and hardware, remain the sole property of the District. Employees shall have no expectation of privacy while using District owned equipment.

8.1.2 Data

Employees are required to protect the integrity of District data, which may include proprietary or other confidential information. An employee who allows, either deliberately or inadvertently, a breach in District technology security or confidentiality may be subject to disciplinary action, up to and including termination of employment.

8.1.3 Personal Use of Electronic Media

Access to the Internet and other types of District paid computer access is to be used for District-related business. Minimal personal use of e-mail and Internet is permitted as long as it does not interfere with job performance. Communication systems are not to be used in ways that may be disruptive, offensive to others, or harmful to morale. For example, anything that may be construed as harassment, discrimination, or retaliation of others based on any protected category shall not be displayed or transmitted.

Employees should consider all transmissions to be of a permanent nature, such that the District will be able to retrieve and read or view them at a later time. Therefore, all communications on District computers and systems should be composed with the belief that they will be subject to the same review as written communication.

Employees are not permitted to access the electronic communications of any other employee or third party unless directed to do so by District management.

Employees may not install personal software on District computer systems. All electronic information created by an employee using any means of electronic communication furnished by the District is and shall remain the property of the District. Employees who misuse electronic communications and engage in defamation, copyright or trademark infringement, discrimination, harassment or related actions will be subject to disciplinary action, up to and including termination.

8.1.4 Passwords

The District reserves the right to inspect District owned equipment and systems at any time, to access and review electronic files, messages, mail, etc., and to monitor the use of electronic communications. The District will override all passwords if it becomes necessary.

The Systems Administrator shall be responsible for the administration of access controls to all District computer systems.

Each user's computer and network access is protected by a personal confidential password to be determined by the user. It is the user's responsibility to maintain the confidentiality of their password. Individual users can be held accountable for the use of their account by others.

Each user shall be responsible for all computer transactions made with the user's password. A user may not use another user's password to gain access to the computer system without authorization nor may a user offer the use of their privileges for another user's access. Users with a need to access a coworker's files should contact their Department Manager.

Users are expected to log out or lock the screen when leaving a workstation for an extended period. To prevent unauthorized access every user is expected to log off the computer every day at the close of the workday.

Employees are not to share passwords with anyone, including supervisors. Passwords should be changed every 90 days. Strong passwords include:

- Both upper and lower case characters
- Both numeric and special characters as well as letters
- No personal information, such as family names or birthdates

8.1.5 E-Mail

Employees must use extreme caution when opening e-mail attachments received from unknown senders, which may contain viruses, e-mail bombs or Trojan horse code. Some personal use of e-mail is acceptable but should be stored in a separate folder from business items.

Employees shall have no expectation of privacy in any email that they send or receive using the District's email system. If an employee receives an offensive message, he or she shall report the matter to the Systems Administrator.

8.1.5.1 Brown Act Compliance

E-mail messages sent to a quorum of the District board or committee subject to the Brown Act, should be of an informational nature only and should not solicit feedback or encourage separate communication amongst a quorum.

8.2 Use of Personal Media

8.2.1 Using Personal Electronics on the Job

Using personal electronic devices such as mobile phones is discouraged during work hours, unless the employee is working independently and on a task that generally is not considered hazardous. Employees are encouraged to use their work breaks and lunch time to return personal calls. Supervisors are responsible for determining when it is appropriate for employees to use personal electronic devices and advising employees accordingly.

8.2.1.1 Use of Electronic Devices While Driving

Employees are expected to adhere to the California Vehicle Code, including those regulations regarding the use of electronic devices while driving. California Vehicle Code § 23123 requires the use of a hands-free device while driving.

8.2.2 Using Personal Electronics for Business Purposes

Employees in leadership roles are required to use mobile phones for business purposes and if so, will be assigned a District mobile phone. Some employees, depending upon job function, may use personally-owned devices to connect with District systems. The District reserves the right to refuse this access. Prior to use on the District network, all personal devices must be inspected by the Systems Administrator, who will verify that the device is appropriate and contains no harmful software or viruses. This inspection may be repeated whenever the Systems Administrator determines it is necessary.

Use of a personal device for business purposes does not entitle the employee to the District's systems support. If the device requires repair or other maintenance, it is the sole responsibility of the employee.

8.2.3 Security

All employees using personal devices for the benefit of the District, must employ security measures to protect data from being compromised. This includes using password access, encryption and physical control of the devices. Confidential District information should not be stored on any personal device, unless authorized by the General Manager.

If a personal device is lost or stolen, inform the Systems Administrator immediately. The District may then wipe District information remotely and lock the device to prevent access by anyone except for the Systems Administrator. If there is any suspicion that the device's security has been compromised in any way, notify the Systems Administrator immediately.

8.3 Social Media

8.3.1 Social Media

Social media are forms of electronic communications (such as websites for social networking and microblogging) through which users create online communities to share information, ideas, personal messages, and other content (as videos).

8.3.2 Social Networking

Social networking is the creation and maintenance of personal and business relationships especially using online platforms.

The District views social networks such as web-based discussions or conversation pages and other forms of social media such as Facebook, LinkedIn, Twitter, YouTube, etc., as significant platforms for communication. This policy establishes direction for employees in regard to social networking etiquette and prohibited communications.

Employees are advised to not publicize their place of employment on their social networking profiles, except for LinkedIn. Employees shall not engage in conduct that

is unbecoming to the District. All employees have an obligation to the District to ensure that any communication they make, including social networking communications, must not impact the reputation of the District negatively or disrespect the District, its customers, or its vendors. Employees may publicly speak on behalf of the District only when authorized by the General Manager. Employees should direct inquiries from news media regarding District business to the General Manager.

8.3.2.1 Prohibited Communications

Examples of Prohibited Communications:

- Employees shall not use the District logo in posts unless given consent by the General Manager.
- Employees shall not link posts to the District's website or post District material on a social media site without consent by the General Manager.

This list contains examples only and is not intended to be, nor is it, an exhaustive list of prohibited communications. All District policies that regulate employee conduct apply to social media activity including, but not limited to, policies related to illegal harassment, code of conduct, and protecting confidential and/or proprietary information. The absence of, or lack of explicit reference to, a specific site does not limit the extent of the application of this policy. Where no policy exists, employees should use their professional judgment and take the most sensible action possible. Consult with your manager or supervisor if you are uncertain.

8.3.2.2 Employee Privacy

The District is prohibited by law from requiring or requesting an employee or applicant for employment to disclose a username or password for the purpose of accessing personal social media, to access personal social media in the presence of the employer, or to divulge any personal social media. The District is also prohibited from discharging, disciplining, threatening to discharge or discipline, or otherwise retaliating against an employee or applicant for not complying with a request or demand by the District that violates this provision.

Violations of this policy will result in discipline, up to and including termination, depending on the severity of the situation and its impact on the District.

8.3.3 Equipment and System Maintenance

The Systems Administrator is responsible for ensuring all District electronic communications equipment and systems are properly maintained and secure. Accordingly, the Systems Administrator will, from time to time, define maintenance, operational and access standards for user compliance.

Users are prohibited from connecting accessories and from modifying the settings or programs to any District-issued computers, unless otherwise authorized by the Systems Administrator. Users with issues or problems regarding District-owned information systems and technology resources should contact the Systems Administrator through the help desk and not attempt to repair problems themselves.

8.3.3.1 Security and Virus Protection

The Systems Administrator is responsible for maintaining security and anti-virus software on the District network and on all District computers. Users shall not download and/or install any programs, antivirus software or other type of software without approval from the System Administrator.

All users must promptly perform updates to operating systems, security and anti-virus programs as requested by IT personnel.

8.3.3.2 Remote Access

Users are prohibited from accessing the District Information Systems and Technology Resources internal network from a remote location (a location not physically connected to the District network) unless specifically authorized by the Department Manager or General Manager. Authorized remote access users should only access District systems in a manner specified by the Systems Administrator, and are subject to the following:

- Remote access users shall be responsible for maintaining District security at all times.
- At no time shall unauthorized users have access to internal District networks or files.
- Storage of confidential District information on any non-District owned device is strictly prohibited.
- Remote access users shall exercise due diligence in ensuring non-District devices used to connect to the District systems are free from viral infections. Exercise due diligence means, a) ensuring an antivirus/antimalware application is installed on the device and is up-to-date and that daily quick scans are run. Additionally, the antivirus/antimalware application should be configured to run scans when external drives or devices are attached to the system.
- Support will be provided only for District devices used for remote access.
- Personal devices used for remote access will not be serviced by the District.
- The District will not be liable for damage to personal devices nor the data stored on them.
- Storing District information in cloud-based storage services is prohibited unless specifically authorized by the Department Manager or General Manager.
- At no time shall confidential or sensitive District information be stored in a cloud-based storage service.
- Authorized users of cloud-based storage services must provide account information (user name and passcode) to the Systems Administrator and give the District permission to access the site at any time.
- All activity during a remote session is subject to District policies.

9.1 Definitions

9.1.1 AT-WILL EMPLOYEE

An at-will employee serves at the pleasure of the District, and can be terminated at any time without cause and without the opportunity to appeal. All employment with the District is "at-will," meaning that both the employee and the District, through action of the General Manager, have the right to terminate employment at any time with or without advance notice, and with or without cause.

9.1.2 BIWEEKLY PAY PERIOD

Employees shall be paid biweekly (every other week) in direct proportion to actual hours worked. Forty (40) hours shall constitute a workweek; eighty (80) hours shall constitute a pay period.

9.1.3 BUSINESS DAY

A business day is any day in which the District's main administration office is open for business.

9.1.4 CATASTROPHIC ILLNESS

A catastrophic illness is a severe illness requiring prolonged care or recovery and may disable an employee from working, creating a financial hardship.

9.1.5 CONFLICT OF INTEREST

A situation in which an employee is in a position to derive personal benefit from actions or decisions made during the course of business.

9.1.6 CONTINUOUS EMPLOYMENT

The period of actual service commencing with the employee's hire date and continuing until broken by resignation or dismissal for the purpose of determining eligibility for paid leave and eligibility for performance step advancement.

9.1.7 DEMOTION

The change in classification of a regular employee from a position in one class to another class having a lower maximum rate of pay

9.1.8 EMPLOYEE

Any person employed by the District. Board of Directors are not employees. Individuals working through an employment agency and those working as independent contractors are not considered employees of the District and are not entitled to any employment benefits provided by the District.

9.1.9 EXEMPT EMPLOYEE

Employees whose job duties meet the Federal Fair Labor Standards Act (FLSA) requirements for overtime exemption. Exempt employees are compensated by salaries and are not eligible for overtime pay.

9.1.10 FAIR LABOR STANDARDS ACT (FLSA)

The FLSA is a federal law which establishes minimum wage, overtime pay eligibility, recordkeeping, and child labor standards affecting full-time and part-time workers in the private sector and in federal, state, and local governments.

9.1.11 HIRE DATE

The beginning date of the employee's current period of continuous employment with the District.

9.1.12 HOLIDAY/HOLIDAY PAY

A declared holiday, constituting eight (8) or nine (9) hours dependent on what day the holiday falls on, is granted as time off with pay for regular full-time employees.

9.1.13 INJURY ILLNESS PREVENTION PROGRAM

The IIPP is a basic written workplace safety program. Title 8 of the California Code of Regulations (T8CCR) section 3203, requires every employer to develop and implement an effective IIPP.

9.1.14 INTERACTIVE PROCESS

The interactive process is a collaborative effort involving an employer and employee to determine if the employee can return to work subsequent to an occupational or non-occupational injury, disease or disorder.

9.1.15 LATERAL TRANSFERS

A lateral transfer is where an employee moves from one position to another that has the same wage range.

9.1.16 LAYOFF

Termination of employment of an employee without prejudice for any of the following reasons:

- Necessity due to lack of work, funds, or other economic reason
- Necessity for a position no longer exists

9.1.17 LOGO ATTIRE

Clothing/hats adorned with the District's name or symbol.

9.1.18 MODIFIED DUTY

Modified duty is an offer for a temporary work assignment made to a worker who is recovering from an illness or injury and who has received clearance from a physician to return to work under specific limitations.

9.1.19 NEOPOTISM

In the business world, nepotism is the practice of showing favoritism toward an employees' family members or friends in economic or employment terms.

9.1.20 NON-EXEMPT EMPLOYEE

Employees subject to Federal FLSA overtime regulations and are compensated for overtime hours worked in accordance with the law. Non-exempt employees must comply with District policies regarding overtime work.

9.1.21 OVERTIME

Time worked in excess of 40 hours in a work week or time worked in excess of nine (9) hours worked on a regularly scheduled work day.

9.1.22 PAY PERIOD

Fourteen (14) calendar days as designated by the District.

9.1.23 PROMOTION

The change of a regular employee to a position in a class allocated to a wage range where the top step is a higher maximum rate of pay than the top step of the class that the employee formerly occupied.

9.1.24 REASONABLE ACCOMODATION

Reasonable accommodation is assistance or changes to a position or workplace that will enable an employee to do his or her job despite having a disability. Under the Americans with Disabilities Act (ADA), employers are required to provide reasonable accommodations to qualified employees with disabilities, unless doing so would pose an undue hardship.

9.1.25 REASSIGN

To assign a new duty, a different classification or department.

9.1.26 RECLASSIFICATION

The act of changing a position by raising it to a higher class or reducing it to a lower class on the basis of significant changes in the nature, difficulty or responsibility of the duties performed in the position.

9.1.27 REGULAR WORK HOURS

The 40-hour workweek consists of seven (7) consecutive days. The beginning and ending of the workweek depends on the Flex Day Off (FDO).

9.1.28 REGULAR FULL-TIME EMPLOYEES

Employees normally scheduled to work and who regularly do work a schedule of 40 or more hours per week.

9.1.29 REGULAR PART-TIME EMPLOYEES

Employees who are regularly scheduled to work and do work less than 40 hours per work week. Regular part time employees may be assigned a work schedule in advance or may work as needed.

9.1.30 RESIGNATION

The voluntary termination of employment with the District.

9.1.31 SAFETY SENSITIVE

Safety sensitive positions have public safety implications, such as operating water resources.

9.1.32 TEMPORARY EMPLOYMENT

Individuals hired by the District for short term assignments and who are not considered regular employees. Temporary employees are not eligible for employee benefits and may be classified as exempt or non-exempt according to the job duties and method of compensation.

9.1.33 TERMINATION

Employment dismissed for cause.

9.1.34 WORK WEEK

The 9/80 work week begins on the employee's eight (8) hour day exactly four (4) hours after the scheduled start time and ends 168 hours later, at the same time on the same day during the following week. Thus, the first half of the employee's eight (8) hour day (or four hours) will be on one (1) FLSA workweek and the second half (typically four hours) will be on the subsequent FLSA workweek. This results in 40 straight time hours per FLSA workweek.

9.1.35 Y-RATE

The process by which an employee's base rate of pay is not decreased when either: 1) the employee is reassigned to a classification with a lower range on the salary schedule; or 2) the wage range for the employee's classification is set to a lower range on the wage schedule. Y-rating will automatically end once future increases bring the employee's new classification wage range up to a level where the employee's Y-rated wage falls within the new classification wage range.

APPENDIX A: ANTI-HARASSMENT, ANTI-DISCRIMINATION, AND ANTI-RETALIATION POLICY

I. PURPOSE

The District is committed to providing an atmosphere free of harassment, discrimination, and retaliation in employment. This policy provides an organizational action plan and workplace conduct guidelines to maintain such an environment; further defines what is meant by those terms; provides avenues for reporting discrimination, harassment, or retaliation; and provides a procedure for investigation and resolution of employee complaints.

II. POLICY

- A. Harassment or discrimination on the basis of any of the following is unlawful and will not be tolerated:
- Race or color,
 - Religion or creed,
 - Disability, mental and physical,
 - Sex and gender (including gender, gender identity, gender expression, transgender, pregnancy, and breastfeeding and related medical conditions),
 - Ancestry or national origin,
 - Citizenship status,
 - Medical condition (cancer history and diagnosis),
 - Genetic characteristics or information,
 - Marital status,
 - Age (over 40),
 - Sexual orientation (including homosexuality, bisexuality, or heterosexuality),
 - Military and veteran status, or
 - Membership in any other legally protected category.
- B. This policy applies to all employees, applicants, unpaid interns, volunteers, vendors or independent contractors involved in the operations of the District. The District will not tolerate harassment, discrimination, or retaliation against or by employees, members of the public, or anyone conducting business with the District.
- C. Disciplinary action up to and including termination will be instituted for prohibited behavior by employees. Action will be taken on a case by case basis for applicants, unpaid interns, volunteers, vendors or independent contractors for prohibited behavior.
- D. Protected activity includes making a request for an accommodation for a disability; making a request for accommodation for religious beliefs; making a complaint under this policy; opposing or reporting violations of this policy; or participating in an investigation under this policy.
- E. Employees found to be retaliating in violation of this policy will be subject to disciplinary action up to and including termination. Action will be taken on a case by case basis for applicants, unpaid interns, volunteers, vendors or independent contractors for retaliating in violation of this policy.

III. HARASSMENT, DISCRIMINATION, AND RETALIATION DEFINED

A. Harassment

1. Harassment in any form, including verbal, physical and visual conduct, threats, demands and retaliation will not be tolerated, whether or not it is severe enough to be unlawful. Harassment includes conduct that has the purpose or effect of unreasonably interfering with an individual's work performance; creating an intimidating, hostile, threatening, or offensive working environment; or adversely affecting the employee's performance, evaluation, assigned duties, or any other condition of employment or career development. This policy prohibits harassment in any form, including, but not limited to:
 - a. Oral or written harassment such as epithets, derogatory comments, slurs, unwanted sexual advances or invitations, race-oriented stories or jokes, or inappropriate comments on appearance (including dress or physical features) or gender identification.
 - b. Visual harassment such as derogatory posters, photography, cartoons, drawings or gestures.
 - c. Physical harassment such as assault, touching, impeding or blocking movement, or interfering with work directed at an employee because of his or her sex or any other protected basis.
2. Sexual harassment includes any unsolicited, offensive or unwelcome sexual advances, requests for sexual favors, and other oral or written, visual, or physical conduct of a sexual nature which occurs under any of the following circumstances:
 - a. Submission to such conduct is made by expressing or implicating a term of condition of an individual's employment;
 - b. Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting the individual;
 - c. Other examples of sexual harassment include unwelcome sexual flirtation or propositions, verbal abuse of a sexual nature, graphic verbal comments about an individual's body, sexually degrading words used to describe an individual, and the display or use in the work environment of sexually suggestive objects or pictures, posters, jokes, cartoons or calendar illustrations.
3. Sexual harassment also includes gender-based harassment by a person of the same gender. Prohibited sexual harassment may not always be motivated by sexual desire. Such conduct has the potential to negatively affect an employee's work performance.

B. Discrimination

This Policy prohibits treating individuals unequally because of the individual's protected category as defined in this Policy.

C. Retaliation

1. Any adverse treatment of an employee, applicant, unpaid intern, volunteer, vendor, or independent contractor, which occurs because that person has:
 - Reported harassment or discrimination,
 - Has participated in the complaint and investigation process, or
 - Has otherwise engaged in a protected activity.
2. Retaliation against an employee for engaging in protected activity is strictly prohibited. If an employee believes to have been subjected to any such retaliation, he or she is required to report it in accordance with the complaint procedures that follow.

IV. HARASSMENT INVOLVING THE PUBLIC

The District strictly prohibits harassment of any member of the public by any person conducting District business or otherwise representing the District.

Dealing with the public can be challenging and sometimes contentious. While employees are expected to interface with the public as their duties dictate (sometimes in difficult or even volatile situations), employees are not expected to endure actual harassment by members of the public. If an employee feels that he or she is being subjected to harassment by a member of the public, the employee should report such harassment to his or her supervisor, the Director of Finance or any District supervisor with whom the employee feels comfortable speaking. Employees will not be penalized for refusing to tolerate harassment from a member of the public.

V. COMPLAINT PROCEDURE

- D. Employees may have legitimate claims of harassment even if they have not lost a job or some other economic benefit. Harassment that unreasonably impairs working ability or emotional well-being at work violates this policy and will not be tolerated even when the harassment does not rise to the level of unlawful harassment.
- E. Employees who believe they have been subjected to harassment, discrimination, or retaliation on the job because of a prohibited basis, are encouraged to immediately use the procedure outlined in this policy to file a complaint and have it investigated. The District requires all employees to report conduct prohibited by this policy whether or not they are personally involved. It is important that employees inform the District as soon as possible about any prohibited harassment, discrimination, or retaliation.
 - **Employee Responsibilities**
All employees are required to report any incidents of harassment, discrimination, and retaliation forbidden by this policy immediately so that complaints can be quickly and fairly resolved. Any individual who feels comfortable doing so should let a fellow employee know when that employee's behavior or comments are offensive or unwelcome, even if the situation does not rise to the level of a violation of this policy. However, individuals are not required to handle these situations on their own. Individuals may report to his or her supervisor, the Director of Finance,

or any District supervisor with whom the individual feels comfortable speaking to for any of the following:

- An individual is not comfortable handling a situation directly with another employee;
- An individual believes that he or she has been or is being harassed, discriminated, or retaliated against; or
- An individual is aware or suspects that another person has been harassed, discriminated, or retaliated against.

The District provides a workplace complaint form that employees can use to submit and document complaints. Employees are encouraged to submit complaints in writing, but they are not required to use this form. Employees should feel free to submit complaints orally, if they choose. The workplace complaint form may be found as Attachment A.

- **Supervisor Responsibilities**

Each supervisor has the responsibility of maintaining a work environment free of harassment, discrimination, and retaliation. This responsibility includes being available to discuss this policy with the employees they supervise and to assure the employees that they are not required to endure any form of prohibited harassment, discrimination, and retaliation.

If someone reports a harassment allegation to a supervisor, it is the responsibility of the supervisor to take immediate action by documenting the incident(s) and reporting the allegation of harassment to the Director of Finance.

Any supervisor who fails to take appropriate action to report or address harassment, discrimination, or retaliation can and will be disciplined up to and including termination.

- **Investigation**

The District will investigate all complaints of harassment, discrimination, and retaliation in a prompt, objective, and thorough manner. This investigation can include interviews of those with relevant knowledge where appropriate. The District's investigation will be designed to maintain, to the extent possible, the privacy and confidentiality of all parties involved. The Director of Finance is responsible for directing an investigation into such allegations and for facilitating the imposition of appropriate remedial action, where warranted.

After completion of the investigation, the District will communicate the confidential findings (i.e., "sustained," "not sustained," or "inconclusive") to the complainant, the alleged harasser, and members of management with a legitimate need to know.

If there is a finding that harassment, discrimination, or retaliation in violation of this policy has occurred, the District will take appropriate and immediate action. This may include imposing discipline, up to and including termination. The specific action taken will depend upon the specific circumstances.

Employees are urged to contact the Director of Finance if they have any questions or concerns about this policy.

- **Reporting and Performance Standards**
An employee, job applicant, unpaid intern, volunteer, or contractor who makes a complaint of discrimination, harassment, or retaliation is in no manner excused or exempt from the same performance standards to which others performing the same or similar work are held accountable. All job performance standards will be maintained throughout and following any investigation undertaken as a result of this procedure. Failure to meet job-related performance standards may be grounds for disciplinary action.
- **Other Complaint Options**
Complaints of unlawful harassment may be filed with the California Department of Fair Employment and Housing (DFEH) and/or the federal Equal Employment Opportunity Commission (EEOC). These agencies may accept, investigate and prosecute complaints. DFEH provides additional information regarding the legal remedies and complaint process available through the government agencies.

California Department of Fair Employment and Housing (DFEH): (800) 884-1684 or www.dfeh.ca.gov
Equal Employment Opportunity Commission (EEOC): (800) 669-4000 or www.eeoc.gov

VI. CONFIDENTIALITY

Every effort possible will be made to assure the confidentiality of complaints made under this policy. Complete confidentiality cannot occur, however, due to the need to fully investigate and the duty to take effective remedial action. As a result, confidentiality will be maintained to the extent possible. The District will not disclose a completed investigation report except, as it deems necessary to support a disciplinary action, to take remedial action, to defend itself in adversarial proceedings, or to comply with the law or court order.

APPENDIX B: DRUG FREE WORKPLACE POLICY

I. PURPOSE

In compliance with the Drug Free Workplace Act of 1988, the District has a longstanding commitment to provide a safe, quality-oriented and productive work environment. Alcohol and/or controlled substance abuse poses a threat to the health and safety of the Districts employees and to the security of the equipment and facilities. The unlawful manufacture, distribution, possession or use of a controlled substance is prohibited in the workplace and District vehicles. For these reasons, the District is committed to the elimination of alcohol and/or controlled substance use and abuse in the workplace. A violation of this policy will subject the employee to disciplinary action, up to and including termination.

II. POLICY

This policy establishes the District's goal to provide a safe and drug free work environment for employees.

III. EMPLOYEE ASSISTANCE PROGRAMS (EAP)

The District provides an EAP that offers counseling and treatment of drug- and/or alcohol- related problems.

IV. PROHIBITED CONDUCT

- A. Employees may not have any alcohol and/or controlled substances in their bodily system during working hours, on-call duty, or being subject to call back. Additionally, the manufacture, distribution, possession, or use of controlled substances by any employee in any District workplace or wherever District business is performed is prohibited. (41 U.S.C. §§ 8102-8103; Gov. Code § 8355(a)(1).)
- B. Employees are required to notify their supervisor or the Director of Finance before beginning work when taking medications that may affect the employee's ability to safely and efficiently and/or competently conduct his or her job duties. The employee does not need to report the specific medication or the employee's underlying medical condition.
- C. Failure to notify the Director of Finance of any criminal conviction for a drug violation that occurred in the workplace within five (5) days after such conviction is prohibited. (41 U.S.C. §§ 8102-8103.)

V. DEFINITIONS

- A. Being under the influence of controlled substances and/or alcohol 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.
- B. For purposes of this policy, "controlled substances" includes any drug not legally obtainable under either state or federal law, or both, or any drug that is legally obtainable but not legally obtained or used. This includes prescription drugs obtained illegally and prescription drugs not being used for the prescribed

purpose or being used in excess of the prescribed dosage. It does not include prescription drugs possessed and used under a valid prescription.

- C. Further, the District's safety sensitive classifications will be held to the federal standards under the Department of Transportation (DOT) as applicable.

VI. DRUG AND ALCOHOL TESTING

- A. The District has discretion to test applicants and employees for alcohol and drug use, using an outside laboratory, under the following circumstances:

- 1. Pre-Employment

- All individuals offered employment in a safety sensitive position must submit to a pre-employment drug and alcohol test prior to hiring. All offers of employment for safety sensitive positions are contingent upon successful completion and passing of a drug test. If the applicant is under age 18, a consent form must be signed by the employee's parent or guardian prior to screening

- At the applicant's request, any positive test result may be retested independently and at the applicant's expense. Applicants whose test results are positive for the use of controlled substances or alcohol intoxication will be deemed to have failed the pre-employment physical examination;

- 2. Post-Accident

- Post-accident drug and alcohol testing will be required if an employee is involved in an accident and there is a reasonable suspicion that drug or alcohol use may have been a factor or cause;

- 3. Random

- Random drug and alcohol testing of employees may be required where permitted by state and federal law; or

- 4. Reasonable Suspicion

- The District may require a blood test, urinalysis, or other drug and/or alcohol screening of those employees who are reasonably suspected of using or being under the influence of drugs or alcohol at work, under the following circumstances:

- a. Reasonable suspicion to test exists if, based on objective factors, a reasonable person would believe that the employee is under the influence of drugs or alcohol at work. Examples of objective factors, include, but are not limited to: unusual behavior, slurred or altered speech, body odor, red or watery eyes, untidy appearance, unsteady gait, lack of coordination, sleeping on the job, a pattern of abnormal or erratic behavior, a verbal or physical altercation, puncture marks or sores on skin, runny nose, dry mouth, dilated or constricted pupils, agitation, hostility, confused or incoherent behavior, paranoia, euphoria, disorientation, inappropriate wearing of sunglasses, tremors, an accident involving agency property or equipment, or other evidence of recent drug or alcohol use.

- b. Document and Analysis: In order to receive authority to test, the

supervisor must record the factors that support reasonable suspicion in writing and analyze the matter with the Director of Finance. Any reasonable suspicion testing must be pre-approved by the General Manager of Director of Finance.

- c. Testing Protocol: If the documentation and analysis show that there is a reasonable suspicion of drug or alcohol abuse at work, upon approval by the Director of Finance, the employee will be relieved from duty, and transported to the testing facility and to the employee's home after the test. The employee will be placed on sick or other paid leave until the test results are received.
- B. Employees who refuse or fail to take a lawfully required drug and/or alcohol test, those who fail a drug and/or alcohol test, those who refuse to consent, in writing, to take a drug and/or alcohol test, those who tamper with or otherwise attempt to improperly influence the result of a drug and/or alcohol test, or those who otherwise violate this policy are subject to immediate termination of employment in the first instance.
- C. The District reserves the right to conduct reasonable searches of offices, lockers, storage areas, furniture, District vehicles and other places under the common control of the District and its employees, and to enlist the assistance of law enforcement personnel in connection with the enforcement of this policy.

VII. CONVICTION FOR DRUG-RELATED OFFENSE

An employee who is convicted under a federal or state criminal drug statute relating to any conduct prohibited by this policy will be deemed to have violated this policy. Upon receiving notice of an employee conviction for any such violation, the District will either (a) take appropriate disciplinary action in accordance with this policy, and/or (b) require the employee to participate in and satisfactorily complete a drug abuse assistance, rehabilitation or counseling program. Employees will notify the Director of Finance of any conviction under a criminal drug statute.

APPENDIX C: CONFLICT OF INTEREST CODE

The Political Reform Act, Government Code Section 81000 et seq., requires local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code Regs., §18730) which contains the terms of a standard Conflict of Interest Code, which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings.

The terms of the California Code of Regulations, Title 2, Section 18730, and any amendments to it, duly adopted by the Fair Political Practices Commission, are hereby incorporated by reference as the Conflict of Interest Code for the Triunfo Water & Sanitation District, and along with the attached Exhibit¹ A, which designates positions requiring disclosure and Exhibit B, sets forth disclosure categories for each designated position, constitute the Conflict of Interest Code of the Triunfo Water & Sanitation District. Persons holding positions designated in Exhibit A shall file Form 700 Statement of Economic Interests with the Filing Officer specified for that position in Exhibit A.

All Officials and Designated positions required submitting a statement of economic interests shall file their statements with the **Clerk of the Board** as the Filing Officer. The **Clerk of the Board** upon receipt of the statements of the members of the Board of Directors, General Manager, Director of Finance, Chief Financial Officer, Administrative Program Manager, Engineering Program Manager, and General Counsel, the agency shall make and retain a copy and forward the original of these statements to the County Clerk of Ventura County. Every report and statement filed pursuant to the Conflict of Interest Code is a public record open for public inspection and reproduction subject to Government Code Section 81008.

¹ Individuals holding one of the above-listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by § 87200.

EXHIBIT A

DESIGNATED POSITIONS²

GOVERNED BY THE CONFLICT OF INTEREST CODE

No. of positions	Position Title	Disclosure Categories (From Exhibit B)	Filing Officer
5	Board of Directors	1	County Clerk of the Board
1	General Manager	1	County Clerk of the Board
1	Director of Finance	1	County Clerk of the Board
1	Chief Financial Officer	1	County Clerk of the Board
1	Administrative Program Manager	1	County Clerk of the Board
1	Engineering Program Manager	1	County Clerk of the Board
1	General Counsel	1	County Clerk of the Board

²

Individuals providing services as a Consultant defined in Regulation 18700.3, or in a new position created since this Code was last approved that makes or participates in making decisions shall disclose pursuant to the broadest disclosure category in this Code subject to the following limitation:

The General Manager may determine that, due to the range of duties or contractual obligations, it is more appropriate to assign a limited disclosure requirement. A clear explanation of the duties and a statement of the extent of the disclosure requirements must be in a written document. (Gov. Code Sec. 82019; FPPC Regulations 18219 and 18734.). The General Manager's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code. (Gov. Code Sec. 81008.)

EXHIBIT B

DISCLOSURE CATEGORIES

Subject to the definition set forth in the Political Reform Act and application regulations.

Category 1 - BROADEST DISCLOSURE

- (1) All sources of income, gifts, loans and travel payments;
- (2) All interests in real property; and
- (3) All investments and business positions in business entities.

Category 2 - REAL PROPERTY

All interests in real property, including interests in real property held by business entities and trusts in which the public official holds a business position or has an investment or other financial interest.

Category 3 - LAND DEVELOPMENT, CONSTRUCTION AND TRANSACTION

All investments, business positions and sources of income, gifts, loans and travel payments, from sources which engage in land development, construction, or real property acquisition or sale.

Category 4 - PROCUREMENT

All investments, business positions and sources of income, gifts, loans and travel payments, from sources which provide services, supplies, materials, machinery or equipment which the designated position procures or assists in procuring on behalf of their agency or department.

Category 5- REGULATION AND PERMITTING

All investments, business positions, and sources of income, gifts, loans and travel payments, from sources which are subject to regulatory, permitting or licensing authority of, or have an application or license pending before, the designated position's agency or department.

Category 6 - FUNDING³

All investments, business positions and sources of income, gifts, loans and travel payments, from sources which receive grants or other funding from or through the designated position's agency or department.

³ This Conflict of Interest Code does not require the reporting of gifts from outside this agency's jurisdiction if the source does not have some connection with or bearing upon the functions or duties of the position. (Reg. 18730.1)

APPENDIX D: TRAVEL PROCEDURES AND EXPENSES POLICY

I PURPOSE

It is in the best interest of the District to invest in the employees to allow them to stay current and educated about activities, developments, and professional trends affecting their ability to provide high-quality job performance, which includes external and internal customer service. As such, travel to attend hearings, meetings, conferences, or other gatherings is of value to the District and its rate payers.

II. POLICY

This policy establishes business travel guidelines for employees that are fair, accountable, and transparent.

This policy applies to all District employees who travel on official business for the District. Contract employees and consultants are not covered under this policy, and they will be governed by the contractual agreement between their company and the District.

III. GENERAL GUIDELINES

- A. Employees are responsible for exercising good judgment when requesting, arranging, and traveling. Good judgment includes being fiscally responsible when spending District funds on travel and related activities. Travel should be thoroughly planned well in advance. Personal business should not be mixed with official business if it will cost the District in dollars or lost time, or if it will harm the District's interests in any way.
- B. This policy is not intended to address every issue, exception, or contingency that may arise in the course of District travel. Accordingly, the basic standard that should always prevail is to exercise good judgment in the use and stewardship of the District's resources.
- C. Prior to travel or expense, funds shall be identified and accounted for in each department's line item budget. If possible, funds shall be encumbered prior to actual travel.
- D. The District's preference is to reimburse an employee's actual and necessary costs after travel has occurred through receipts, rather than provide funds in advance of travel or expense. However, the District will, on a case-by-case basis, provide travel advances upon request by the employee and approval of the Director of Finance or designee.
- E. Itemized receipts are required for all business travel expenditures. Itemized receipts include a list of each cost incurred, item by item. For example, an itemized receipt for a lunch establishment would include the cost of the hamburger, fries, soda plus tax and tip on separate lines. In addition to the itemized receipt, all travel expenses shall include the following information:
 - The amount of the expenditure;
 - The date and place of the expenditure;
 - The business purpose of the expenditure; and
 - The business relationship to the person(s) entertained, as well as the individual's names.

- F. Business travel expenditures not substantiated with the above information will be deemed non-business related. Non-business travel related expenses paid for with District issued credit card or a travel advancement will be repaid to the District by the employee within ten (10) business days of returning from such travel. Non-business related travel expenses paid for directly by employees will not be eligible for reimbursement by the District. Failure to repay non-business related travel expenses will result in a suspension of future travel and/or withholding such amounts from the employee's paycheck, as well as disciplinary action, up to and including termination.

IV. PROCEDURES

- A. Upon completion of travel, a final accounting of all expenses shall be approved by the appropriate manager or supervisor and submitted to the Finance Department within ten (10) business days. The final accounting is made by submitting all receipts with the information detailed in Section III, E above along with any relevant District credit card statements.
- B. The District will pay all approved expenses including transportation, lodging, registration fees, meals, and any other related expenses for official business in compliance with this policy.
- C. There are three (3) methods of payment for travel expenses:
 - 1. Direct vendor payment by check in advance. Direct vendor payments are made by the District to an organization to pay for specific travel related costs such as registration fees, lodging and airfare and is the best method of payment;
 - 2. Payment by the employee to be claimed for reimbursement. Reimbursement for out-of-pocket expenditures are processed after travel has been completed; or
 - 3. Travel advance. Travel advances are provided to the employee prior to travel and may be provided upon request subject to approval by the Director of Finance or designee. If the employee fails to reconcile expenses upon returning to work, they shall forfeit the ability to receive future advances.

V. AUTHORIZED TRAVEL

Expenses incurred by employees while engaging and/or participating in the following activities and/or events constitute authorized and reimbursable expenses provided all other requirements of this policy are met:

- 1. The seminar, meeting, or conference is mandatory, reimbursable, or otherwise necessary to accomplish key District or employee goals and objectives and is unavailable locally if overnight accommodations are required;
- 2. Communication with representative(s) of regional, state, and national government and their respective agencies and entities on District adopted or authorized policy positions;
- 3. Attendance of educational seminars designed to improve skill and information levels;
- 4. Attendance at an approved conference, convention, training, seminar or other meeting;
- 5. Participation in regional, state and national organizations whose activities affect the District's interests;
- 6. Attendance of functions of local civic or community organizations where there is a clear nexus between the event and the employee's job.

VI. UNAUTHORIZED EXPENSES

The following personal expenditures shall not be reimbursed:

- The personal portion of any trip;
- The purchase of alcohol, tobacco, or related costs;
- Political or charitable contributions;
- Family expenses, including those of a partner when accompanying the employee on official business; child or pet care;
- Entertainment expenses including theatre, shows, movies (either in-room or in theaters). Sporting events, golf, spa treatments, etc.;
- Non-mileage personal automobile expenses including repairs, gasoline, traffic citations, and other expenses;
- Loss of or damage to personal items while on District business; or
- Changes to travel arrangements for personal reasons that could have reasonably been foreseen.

VII. TRANSPORTATION

A. Air, train, private automobile, or other mode of public transportation shall be selected on the basis of the lowest reasonable cost to the District after all expense items are tabulated, including travel time salary costs.

1. Airfare: Employees shall book the most economical and reasonable mode and class of transportation available that is consistent with scheduling needs. First class travel is prohibited;
2. Automobile: The District's preferred travel method is to utilize a District vehicle for official business. If a District vehicle is not available the employee may use a personal vehicle and will be reimbursed as described in section VII, B below;
3. Car Rental: Rental rates that are reasonable and economical are eligible for reimbursement;
4. Taxis/Shuttles: Reasonable actual costs for taxi and shuttle fares will be reimbursed including up to a 15 percent gratuity per fare.

B. Automobile mileage is reimbursable if the employee is required to use a personal vehicle for travel at the IRS rates in effect at the time of travel. These rates are designed to compensate the driver for gasoline, insurance, maintenance, and other expenses associated with operating the vehicle. This amount does not include reimbursable expenses such as bridge and road tolls, which are also reimbursable. Proof of insurance must be presented if requested.

C. Reimbursement for personal auto usage for business will be calculated per the current IRS guidelines, based on the following:

1. If an employee drives round-trip from her or his residence to work function, including driving to an airport, the round-trip mileage the employee would have driven from

- his or her residence to work must be subtracted from the round-trip mileage. Any excess mileage is reimbursable to the employee at the current IRS approved rate.
2. If an employee drives from work to a meeting, training function or airport, the round-trip mileage from the District facility to the event is reimbursable at the current IRS approved rate.
 3. Employees who receive a car allowance will not receive any additional mileage/travel reimbursement.
 4. In instances where more than one (1) employee is traveling to the same event, the employee that receives a car allowance shall drive if both employees are departing and returning near the same time from the same location.
 5. The District highly encourages carpooling to save District resources, and to be eco-friendly.

VIII. TRAVEL TIME AND HOURS WORKED

- A. The following principles shall be applied when determining hours worked for the purposes of calculating work hours and proper compensation, in compliance with the Fair Labor Standards Act.
 1. Travel time to and from an airport or public transportation terminal is considered hours worked.
 2. Time spent for air travel or other means of public transportation when required by the District shall be considered hours worked. Travel time shall include actual hours for travel, up to one and one half hours of wait time prior to departure of the flight and shall conclude upon arrival at the hotel or when returning, upon return to the employee's home.
 3. Employees are required to take the most expedient and efficient means of travel possible to meet the needs of the District. Therefore, an employee who opts to drive a personal vehicle instead of taking air travel or other faster means of travel, shall only record the time he or she would have received had they traveled via a faster mode of transportation reasonably available. For example, an employee may prefer to drive to San Diego, taking nine (9) hours, rather than flying which takes one and one half hours plus the one and one half hours of wait time prior to the departure of the flight. The employee shall only record three (3) hours of work time on their timesheet.
 4. If an employee is required to report to work at a location other than the normal work location, the travel time to and from the other location may be considered work time if travel to that location falls outside the definition of ordinary home to work travel. For example, an employee living in Stockton being asked to report to Roseville would be compensated for the travel time to/from their Elk Grove work place to the Roseville location. However, an employee living in Rocklin reporting to the Roseville location would not record travel time as hours worked since it would be less than their normal home to work commute time.
 5. Managers and supervisors should be mindful of employee's schedules and try to reduce/prevent over-time as a result of travel whenever possible. Additionally, managers and supervisors shall use their discretion when accounting for multiple attendees at events and the impact related to the specific mode of transportation.
- B. Ordinary home to work travel shall not be considered as hours worked. If an employee is required by the District to conduct business on the way to work, the employee shall record all hours worked from the onset of that activity to the time the employee reaches the workplace to begin his or her shift. For example, if an employee is directed to pick up

supplies on their way into the office, the employee shall record hours from the time they make the stop to pick up those supplies to the time they arrive at the worksite through the completion of their shift, less normal meal periods

IX. LODGING

- A. The District will pay for or reimburse for lodging expenses when travel on official district business reasonably requires an overnight stay. Lodging shall be booked at the most economical and reasonable rates for lodging that is in a location that is reasonable and convenient in relation to the employee's official business needs. For lodging in connection with a conference or organized educational activity, such 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 to the traveler at the time of booking. If the group rate is not available, the traveler shall use comparable lodging.
- B. It is recommended that employees inquire with the Director of Finance or designee about the use of the Claim for Exemption from Transit Occupancy Tax when possible.
- C. While determining appropriate lodging arrangements, employees shall take into consideration the start and end times as well as the duration of the event. Employees generally shall not book prior evening overnight accommodations for travel within the local vicinity, which includes the Ventura County area or a round trip distance of 100 miles or less. Additionally, employees shall not book overnight accommodations for the same day the event ends. Any exception to this shall be pre-approved by the Director of Finance or designee.

X. MEAL EXPENSES

- A. Daily meal expenses shall be reimbursed in accordance with current IRS published Maximum Federal Per Diem Rates in effect for the highest cost area of California at the time of travel. The District will reimburse for documented meal expenditures, including gratuity, up to the Maximum Federal Rate. Documentation shall include all items as outlined in Section III, E of this policy.
- B. The Finance Department shall provide the current IRS published Maximum Federal Rates and the applicable guidelines, including time departure reductions. The Finance Department shall account for meals that are provided at a meeting or while in transit (a group lunch advertised in a conference brochure, for example). Appropriate reductions must be made from the Maximum Federal Rate based on available information to Finance. After travel is completed, if the employee did not utilize the paid meal and incurred a personal meal expense, the employee may be reimbursed for the applicable meal with proper documentation if the employee can demonstrate a compelling reason why the paid meal was not utilized.
- C. Meal expenses, including gratuity, in excess of the Maximum Federal Rate will not be reimbursed without approval of the Director of Finance. The employee may receive reimbursement above the Maximum Federal Rate if a compelling reason can be demonstrated.

D. District funds cannot be used to purchase alcohol, tobacco, or other related costs.

XI. MISCELLANEOUS EXPENSES

- A. Employees will be reimbursed for actual telephone, internet, fax, parking, tolls, tipping (meals fall under the Maximum Federal Rates), taxi, or other reasonable expenses which shall be supported by receipts. Where receipts are not available, a signed declaration of expenditure may be accepted by the Director of Finance at his or her discretion.
- B. Employees shall make every effort to utilize cost effective means to park vehicles overnight. The District recommends overnight parking in the hotel where the employee is staying. Valet parking, while not encouraged, is allowed if it is the only means available for reasonable and safe parking.

XII. CASH ADVANCES

- A. Employees may request a cash advance to cover anticipated expenses while traveling or conducting business on behalf of the District. The request for an advance should be submitted to the Director of Finance or designee no more than 30 days before and no less than ten (10) days prior to the disbursement. Every effort should be made to request the cash advance ahead of the normal check run date occurring prior to the disbursement.
- B. Upon request, the Director of Finance or designee shall determine if a cash advance is necessary and appropriate. Employees who have a District issued credit card are not eligible for a cash advance, unless credit cards are not accepted.
- C. Any unused advance must be returned to the District within ten (10) calendar days of the employee's return along with supporting receipts documenting advance expenditures. If the employee fails to reconcile expenses upon their return, they forfeit the ability to receive future advances.

XIII. SPOUSES AND GUESTS

Spouses and guests may accompany employees on District travel and at conferences, seminars, and meetings. However, any additional costs associated with the participation of a spouse or guest is the employee's responsibility.

XIV. EXPENSES TO ACCOMMODATE DISABILITIES

This policy shall not be construed to limit the District's ability to reimburse travelers for necessary expenses in excess of that which is otherwise permitted under this policy where such additional expenses are necessary to accommodate for a disability.

XV. RATES

The Finance Department is responsible for updating the Maximum Federal Rates published by the U.S. General Services Administration (GSA) annually on October 1st. The Finance Department shall also update the IRS allowed mileage reimbursement rate on January 1st of each year or as any changes are implemented by the IRS.

XVI. UNFORESEEN AND UNCONTROLLABLE NATURAL EVENTS

Unforeseen and uncontrollable natural events are directly and exclusively results from the occurrence of natural causes that could not have been prevented by the exercise of foresight or caution. Examples include: earthquake, flood, hurricane, and tornado. During such an event, the District will work with the employee to make lodging, meal, travel, and other reasonable accommodations. However, the District shall not pay overtime costs associated with such events.

APPENDIX E: CREDIT CARD POLICY

I. PURPOSE

The purpose of this policy is to establish guidelines for the District to issue credit cards to employees for covering expenses related to authorized travel and enabling a cost-effective, convenient and streamlined method of purchasing items.

II. POLICY

A credit card may be issued to an individual who is a regular employee of the District and agrees to be held liable to the credit card company for all charges while conducting official District business. Credit cards are issued through the authorization of the General Manager or his or her designee.

III. PROCEDURES FOR OBTAINING CREDIT CARDS

A. The District may establish a credit card in the name of the District employee, with an approved financial institution provider, for District business use only. The cardholder will receive monthly statements.

B. The Finance Department shall establish procedures and forms for implementing and monitoring a credit card purchasing program through a financial institution provider that includes, but is not limited to, the following:

1. A dollar limitation on the credit card;
2. A dollar limitation of purchasing authority assigned to the cardholder per transaction made with the credit card;
3. A dollar limitation of purchasing authority assigned to the cardholder for the total of all charges made during each monthly billing cycle;
4. Merchant category blocking.

IV. AUTHORIZED CREDIT CARD USE

A. Cardholders are authorized to use their credit card to purchase merchandise or services required as a function of their duties at the District.

B. A purchase made with a credit card may be made in-store, by telephone, fax, and internet or U.S. mail. A purchase order may be required per established procurement policies and procedures.

C. If a credit card is issued for the purpose of covering expenses related to authorized travel, upon billing or no later than ten days of the billing date, the employee using a credit card shall submit a fully itemized travel expense log. Any charges against the credit card not properly identified on the travel expense log shall be paid by the employee by check or cash.

V. UNAUTHORIZED AND/OR INAPPROPRIATE CREDIT CARD USE

Credit cards shall not be used to purchase items for non-District purposes, even if the cardholder intends to reimburse the District. Unauthorized and/or inappropriate credit card use includes, but is not limited to:

- Items for personal use;

- Cash advances;
- Non-business related food and beverages for an individual employee. (However, authorized cards may allow for food and non-alcoholic beverages for business-related meetings and travel in compliance with travel policies and after obtaining approval for special expenses);
- Alcoholic beverages or tobacco;
- Weapons of any kind or explosives;
- Relocation expenses;
- Entertainment; and
- Recreation.

VI. DISCIPLINARY ACTION

- A. A cardholder who makes an unauthorized purchase with the credit card will be subject to revocation of the credit card, potential disciplinary action including restitution to the District for unauthorized purchases, possible card cancellation, up to and including termination and criminal prosecution.
- B. If any item purchased with a credit card is not acceptable, arrangements must be made for a return for credit or an exchange. A cash refund or check is prohibited unless the vendor insists that a refund must be made by cash or check, then the funds must be deposited immediately with the District Finance Department.
- C. If, for any reason, disallowed charges are not repaid before the credit card billing is due and payable, the District shall have a prior lien against and a right to withhold any and all funds payable to the employee.
- D. Any employee who has been issued a credit card by the District shall not use the card if any disallowed charges are outstanding and shall surrender the card upon demand of the Director of Finance. The District shall have unlimited authority to revoke use of any credit card issued under this section, and, upon such revocation order being delivered to the credit card company, shall not be liable for any costs.

VII. RESPONSIBILITY AND ACCOUNTABILITY

It is the responsibility of each individual cardholder to:

1. Safeguard the credit card and associated account number at all times; lost or stolen credit cards shall be reported immediately to the credit card agency and the District Finance Department;
2. Keep credit card in a secure location at all times;
3. Prevent unauthorized persons from using the credit card and or associated account number;
4. Obtain and retain original itemized receipts for goods and services purchased. All forms of canceled checks and copies of credit card bills do not substitute for original receipts. An employee may be allowed to file an affidavit in lieu of receipt if the original is lost or not obtained;
5. Review in a timely manner, monthly statements from the financial institution for accuracy and ensuring all transactions posted are legitimate transactions made by the cardholder. Receipts and/or packing slips must be attached to the monthly statement. The cardholder must sign the statement certifying all the charges;
6. Submit the statement and receipts to the District Finance Departments within ten

- (10) business days of the billing date for payment processing;
7. Surrender the credit card and corresponding support documentation to the Director of Finance upon separation from the District.

VIII. PERIODIC REVIEWS

The District Finance Department shall conduct periodic reviews for proper card use. Credit card records will be audited from time to time.

APPENDIX F: 9/80 WORKWEEK SCHEDULE POLICY

I. PURPOSE

To set forth the District's policy and procedure governing the establishment and administration of an available 9/80 workweek schedule.

II. POLICY

The District has designated a 9/80 workweek schedule for all employees. If at any time the District determines the work schedules and/or workweek periods offered must be changed, affected employees will be notified of the change at least one (1) pay period in advance of the change. Scheduling of a 9/80 work schedule, including the selection of work days, work times, and the Flex Day Off (FDO), shall be done by management based on business needs. Employees may, however, request consideration for an alternate schedule and FDO. Written management approval is required.

III. 9/80 WORKWEEK SCHEDULE

A. Work Schedule

The 9/80 work schedule shall consist of eight (8) work days of nine (9) hours and one (1) work day of eight (8) hours for a total of eighty (80) hours during two (2) consecutive workweeks. For non-exempt employees, the eight (8) hour work day must be on the same day of the week as the employee's regular FDO. The District's 9/80 work schedule provides FDO on alternating Mondays or Fridays.

Under the Federal Fair Labor Standards Act (FLSA), the workweek is defined as "a fixed and regularly recurring period of seven (7) consecutive 24-hour periods (168 hours)." When an employee is assigned to a 9/80 schedule, the 9/80 work week begins on the employee's eight (8) hour day exactly four (4) hours after the scheduled start time and ends 168 hours later, at the same time on the same day during the following week. Thus, the first half of the employee's eight (8) hour day (or four hours) will be on one (1) FLSA workweek and the second half (typically four hours) will be on the *subsequent* FLSA workweek. This results in 40 straight time hours per FLSA workweek, and 80 hours per two-week pay period.

All employees have every other Friday or Monday as a designated FDO. The District has two (2) work schedules where the first begins at 7:00 AM and the second begins at 7:30 AM. The time in which an employee begins work dictates the time in which a work period begins.

Work Shifts and Workweek		
If your shift begins at...	Then your workweek begins on...	And ends on...
7:00 a.m.	11:00 a.m. Friday or Monday	The following Friday or Monday at 10:59a.m.
7:30 a.m.	11:30 p.m. Friday or Monday	The following Friday or Monday at 11:29 a.m.

Note: For non-exempt employees, the eight (8) hour work day must be on the same day of the week as the employee's regular FDO.

B. Pay Periods

Employees should be aware that pay periods may not coincide with the designated FLSA workweek. For purposes of assessing overtime, management determines whether the employee worked over nine (9) hours on a scheduled work day or 40 hours within the FLSA workweek, regardless of the pay period.

IV. HOLIDAYS, PERSONAL TIME OFF AND JURY DUTY

A. Holidays

Employees who are eligible for holiday pay will be paid for the appropriate workday hours in which the holiday falls, in accordance with the 9/80 work schedule.

B. Leave

Time off from work using accrued annual leave or other paid leave banks or bereavement leave will be charged one (1) hour for every hour taken. Time off from work on the eight (8) hour work day will be charged at eight (8) hours. Time off from work on the nine (9) hour work day will be charged nine (9) hours.

C. Jury Duty

An employee shall not be entitled to jury duty pay, or to overtime pay or compensatory time off for jury duty on the FDO.

V. OVERTIME

A. Overtime Earned

When a non-exempt employee is on a 9/80 work schedule, overtime for hours exceeding nine (9) hours in a scheduled work day or 40 hours in a workweek will be based on the FLSA workweek. Overtime will be paid at one and one half rate of an employee's regular rate of pay.

B. Overtime Paid

The 9/80 FLSA workweeks may not correspond with the District's pay periods. Therefore, where adjustments to overtime compensation cannot be calculated until the completion of the employee's workweek (e.g., when they occur in the last half of the 8- hour day),—a one (1) pay period delay in the employee

receiving the additional compensation may occur.

VI. TRANSITIONING TO OR FROM A 9/80 WORK SCHEDULE

When an employee transitions from a different work schedule to a 9/80 alternate work schedule, there will be a change to the beginning of the FLSA workweek. This results in a situation in which four (4) hours fall in both the old workweek and the new workweek. The following procedures are designed to avoid an overtime obligation during this change. Any deviation from these procedures must be approved in advance by management.

A. Transitioning to a 9/80 Alternate Work Schedule

For a non-exempt employee, the transition to a 9/80 alternate work schedule will be set to begin during a 36-hour calendar workweek, when a FDO occurs. Four (4) hours in the new FLSA workweek will overlap with the prior 40-hour calendar workweek, but because the following calendar week will contain 36 hours, this will result in 40 hours of straight time in the first new FLSA workweek.

B. Transitioning to a Normal 40 Hour Work Schedule

For a non-exempt employee, the transition back to a normal 40-hour workweek (e.g. "10/80" or "4/10") from a 9/80 work schedule will be set to begin the week following a 36-hour calendar workweek. This will result in 40 hours of straight time in both the prior FLSA 9/80 workweek and the new regular FLSA calendar week.

APPENDIX G: WORKPLACE VIOLENCE PREVENTION POLICY

I. PURPOSE

The goal of the District is to provide every employee a safe work environment.

II. POLICY

Safety and security of employees is of vital importance to the District. Acts or threats of physical violence, including intimidation, harassment and/or coercion, which involve or affect the District or which occur on District property, will not be tolerated. Any act or threat of violence should be documented and reported to a supervisor immediately.

The prohibition against threats and acts of violence applies to all persons involved in District operations including, but not limited to District personnel, contract and temporary workers, and anyone else on District property. Violations of this policy by any individual may result in disciplinary action, up to and including termination, and/or legal action as appropriate.

III. DEFINITIONS

Workplace violence is defined as any conduct that causes an individual to reasonably fear for his or her personal safety or the safety of his or her family, friends, and/or property. Specific examples of workplace violence include, but are not limited to, the following:

1. Threats or acts of physical harm directed toward an individual, his or her family, friends, associates, or property;
2. Bullying behavior, i.e., acts or verbal comments that could 'mentally' hurt or isolate a person in the workplace; repeated incidents or a pattern of behavior intended to intimidate, offend, degrade, or humiliate a particular person or group of people; the assertion of power through aggression;
3. The destruction of, or threat of destruction of District property or another employee's property;
4. Fighting, challenging another person to fight, or participating in dangerous or threatening horseplay;
5. Striking, punching, slapping, or assaulting another person;
6. Grabbing, pinching, or touching another person in an unwanted way whether sexually or otherwise;
7. Harassing or threatening phone calls;
8. Surveillance;
9. Stalking;
10. Possessing a weapon(s) on District property or in District vehicles. "Weapon" is defined as a firearm, unauthorized chemical agent, club or baton, knife, or any other device, tool, or implement that can cause bodily harm if used as a weapon or displayed in such a manner to cause harm or threaten a person with harm.

IV. INCIDENT REPORTING PROCEDURES

1. Any District employee, who is a victim of any violent threatening or harassing conduct, who is a witness to such, or who receives a report of such conduct,

whether the alleged perpetrator is a District employee or non-employee, must immediately report to their supervisor or the Director of Finance. Employees also should notify the Director of Finance of any restraining order in effect, or if a potentially violent non-work-related situation exists that could result in violence in the workplace. Anyone who fears for the safety of person(s) at the scene of the violent act should call law enforcement immediately.

2. The Director of Finance will document the incident, including the employee name(s), date/time, location, incident description, witness name(s) and statements, description of unidentified parties, description of the act(s) and/or behavior(s) arising from the incident, action taken, and provide any other relevant information regarding the incident.
3. The Director of Finance will take appropriate steps to provide security, such as:
 - a. Placing the employee alleged to have engaged in workplace violence on Administrative Leave, pending investigation;
 - b. Any threatening or potentially violent person will be requested to leave the site;
or
 - c. Immediately contacting an appropriate law enforcement agency.

V. INVESTIGATION

The Director of Finance will investigate the violations of the policy as necessary.

VI. PREVENTION

The District will enforce this policy by:

1. Training supervisors on their responsibilities under this policy;
2. Assuring that reports of workplace violence are addressed and documented accurately and timely;
3. Notifying the Director of Finance and/or law enforcement authorities of any incidents;
4. Making all reasonable efforts to maintain a safe and secure workplace; and
5. Maintaining records and documents of follow up actions taken related to reports of workplace violence.