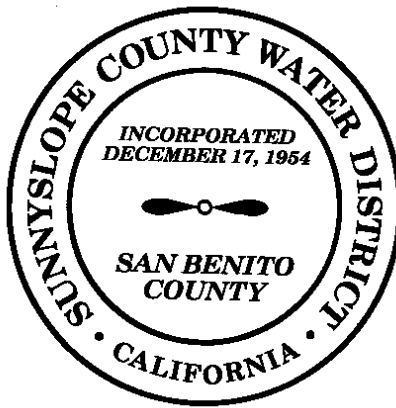


Sunnyslope County Water District



Employee Handbook

(Personnel Policies and Procedures Manual)

💧💧 *Welcome to the Team* 💧💧

Adopted: April 18, 2017

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CHAPTER 1

GENERAL PROVISIONS



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Sunnyslope County Water District

1001 Purpose

1001.1 This *Employee Handbook* (Personnel Policies and Procedures) is a guide to the policies, practices, and benefits relating to employment at the Sunnyslope County Water District (District). The objective of these policies is to facilitate efficient and economical services to the public, as well as to provide for a fair and just system of personnel management. These rules set forth policies and procedures that ensure like treatment for those who present themselves for original employment or promotion, and the obligations, rights, privileges, benefits, and prohibitions that are placed on all employees in the District.

1001.2 Communication is the most important aspect of the employment relationship. This *Employee Handbook* is designed as part of our effort to improve the employees' understanding of what the District expects of them. It also outlines what the District offers the employee in return. It is a synopsis of mutual expectations. As such it cannot anticipate every situation that might arise during employment. However, it does address the most common issues where questions have been raised in the past. If the employee does not understand a specific portion or reference in this *Employee Handbook*, contact the General Manager.

1001.3 The District, at its option, may change, delete, suspend or discontinue any part or parts of the policies and procedures in this *Employee Handbook* at any time without prior notice. Any such action shall apply to existing as well as future employees with continued employment being the consideration between the employer and employee. No one other than the Board of Directors of the District may alter or modify any of the policies and procedures in this *Employee Handbook*. No statement or promise by a supervisor, manager, or department head may be interpreted as a change in these policies and procedures, nor will it constitute an agreement with an employee.

1001.4 Should any provision in this *Employee Handbook* be found to be unenforceable and invalid, such finding does not invalidate the entire employee handbook, but only the subject provision. This *Employee Handbook* replaces all other previous employee handbooks or manuals for the District as of the date of adoption by the District's Board of Directors.

1002 Organization Structure

1002.1 The District is a public tax supported utility formed in 1954 under the California Water Code. A five (5)-member Board of Directors is elected in staggered four (4)-year terms and govern the District. Board of Director regular meetings are on the third Tuesday of the month at 5:15 p.m. in the District office. Staff of the District is organized in four (4) departments; (1) Water, (2) Wastewater, (3) Customer Service, and (4) General and Administration. The General Manager is appointed by, and serves at the pleasure of, the Board of Directors. Please refer to **Appendix A Organization Chart**, for a graphical hierarchy of the District.

1002.2 Services authorized by the voters of the District are water supply, and wastewater collection, treatment and disposal.

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1003 Mission, Vision, and Core Values

1003.1 In the development of the District’s Five-Year Strategic Plan, which was adopted by the Board of Directors on September 13, 2012, the Board adopted a Mission Statement, Vision Statements and Core Values to serve as the guiding principles used by the District to develop actions, projects, and initiatives in the five-year planning horizon. These excerpts from the Strategic Plan provide statements and values that should serve as a guide for all employees to participate in the process and assure the District adheres to these ideals and achieves its goals.

Mission Statement –

1003.2 A declaration of the District’s purpose succinctly describes why the District exists.

Our Mission is to provide safe, reliable, and high quality water and wastewater services to our customers and all future generations in an environmentally and financially responsible manner.

Vision Statements –

1003.3 A vision statement articulates where the District wants to be over the life of the Strategic Plan. It outlines at the highest level the key changes that must be achieved by the Strategic Plan. The Vision creates and drives strategy and tactics identified elsewhere in the Strategic Plan.

In 20 years we would like to be able to say...

- *We remain financially sound.*
- *We maintain strong and up-to-date policies, procedures, and the District code.*
- *Evidence of good planning has been demonstrated.*
- *We have kept the “Team” feeling here.*
- *We maintain a professional and highly trained workforce.*
- *We have sufficient and reliable water supplies.*
- *We meet all regulatory requirements for water and wastewater.*
- *We have successfully implemented and are maintaining the Regional Urban Water Management Plan.*
- *Our Customers understand the “Value of Water”.*
- *Efficient planning relationships with neighboring agencies are maintained.*

In support of that long-term Vision, in five years the District will say that...

- *We are financially sound and have dealt specifically with improving our financial policies and procedures.*
- *The West Hills treatment plant is under construction.*
- *We have made good progress in updating policies, procedures, and the District code.*
- *The high-zone pipeline and upgrades to Lessalt plant are complete.*

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- *The Ridgemark wastewater treatment plant is complete.*
- *The question of who owns and runs the Lessalt and West Hills plants are answered.*
- *Our staff have trained, studied, and acquired the higher certification levels required by the State to operate our new water and wastewater treatment plants.*
- *We have instituted effective public education/incentive programs to meet water quality requirements.*
- *We meet all regulatory requirements for water and wastewater.*
- *We continue to make customer service a priority.*
- *We have achieved our incremental goal toward conserving water in-line with the 20% 2020 reduction goal.*
- *We proactively manage infrastructure maintenance.*

Core Values –

1003.4 These are the values, framed in question form, to which the Board of Directors is fiercely dedicated. They are anchored in community values and are used by the Directors as decision filters for the myriad of decisions in the future.

- *Does it support the ability to reliably provide high-quality water and wastewater services to our region?*
- *Is it cost efficient and practical?*
- *Does it support our commitment to maintenance of our infrastructure?*
- *Is it responsive, open, and clear to our customers?*
- *Will it support regional cooperation and partnerships?*
- *Does it support our employees to be safe, productive, and motivated?*
- *Will it promote water conservation and protect the environment of this region?*

1004 *Employment Status At-Will Statement*

1004.1 The Personnel Policies and Procedures in this *Employee Handbook* are not a contract guaranteeing employment for any District employee for any specific duration. Employment at the District is at-will. Employment at-will may be terminated with or without cause and with or without notice at any time by the employee or the District. Nothing in this *Employee Handbook* or in any document or statement shall limit the right to terminate employment at-will.

1004.2 While all other policies may be modified by the District at any time without a written revision of this *Employee Handbook*, this at-will policy cannot be so modified. That being said, the District still hopes an employee's relationship will be long-term. Please refer to the signed copy of **Appendix B Acknowledgement of Receipt**.

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1005 Equal Employment Opportunity

1005.1 The District is an equal opportunity employer and employs persons having the best available skills to efficiently provide high quality service to the public. The District provides equal opportunity for all persons in all aspects of employment, including recruitment, selection, promotion, transfer, training, compensation, educational assistance, benefits, discipline, working conditions, reduction in force, reinstatement, and all other matters of employment.

1005.2 Such equality of opportunity shall be based solely on job-related knowledge, skills, and job performance, and shall be without discrimination related to any legally protected class including: race; color; religion (including religious dress and grooming practices); sex (including pregnancy, childbirth, and related medical conditions); national origin (ancestry); mental or physical disability (when such applicant or employee can, with reasonable accommodation, perform the essential functions of the job); medical condition; genetic information; marital status; age (40 and older); sexual orientation and identity; AIDS/HIV status; citizenship status; political activities or affiliations; military service status; status as a victim of domestic violence, assault, or stalking; or any other factor unrelated to job performance.

1005.3 All employee decisions will be based upon policies and practices that further the principles of equal employment opportunity. Every member of management is held responsible for assuring non-discrimination in employment opportunities. In addition, all staff members, regardless of position, share in the responsibility of maintaining a discrimination-free workplace.

1005.4 The District is committed to complying with all applicable laws providing equal employment opportunities. This commitment applies to all persons involved in the operation of the District and prohibits discrimination by any employee of the District, including supervisors and co-workers.

1005.5 For additional information or assistance regarding workplace discrimination and other employment issues, contact either of the following government agencies:

- The Equal Employment Opportunity Commission (EEOC). This is the federal agency that regulates workplace discrimination. Employees can contact the EEOC by calling 800-669-4000 or check out its website at www.eeoc.gov/. The website can also be used to locate an EEOC field office in California.
- The Department of Fair Employment and Housing. This is a state agency that enforces state antidiscrimination law in California. Employees can contact the Department of Fair Employment and Housing, Sacramento District Office at 916-478-7200 or 800-884-1684 or go to its website at <http://www.defeh.ca.gov/>.

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1006 *Affirmative Action*

1006.1 It is the policy of the District that there shall be no discrimination based upon any legally protected class, as described in paragraph **1005.2 *Equal Employment Opportunity***, in any personnel action, including recruitment, appointment, performance evaluation, promotion, the granting of leaves, and any disciplinary or grievance action.

1006.2 The District is committed to: 1) recognize both a moral and legal obligation to work toward a work force composition reflecting the mix of ethnic minorities and women in the labor markets from which the District draws its staff, and 2) make a demonstrable and deliberate effort in hiring to solicit applications from minority and women candidates in all cases where their representation is below the labor force standard.

1006.3 Allegations of wrongdoing, such as arbitrary and discriminatory action, should be made by following the guidelines outlined in policy **2034 *Grievance Procedures***. The District will not retaliate against an employee for filing a complaint and will not knowingly permit retaliation by management, employees, or co-workers.

1007 *Accommodations for Disability*

1007.1 The employment related provisions of the Fair Employment and Housing Act (FEHA) and the Americans with Disabilities Act (ADA) apply to all employees and job applicants seeking employment with the District. Under the ADA, a qualified individual with a disability is an individual who, with or without reasonable accommodation, can perform the essential functions of the position in which the individual is employed.

1007.2 The District will attempt to provide reasonable accommodations for the known physical or mental disabilities if a job applicant or employee is otherwise qualified to safely perform all of the essential job functions, unless undue hardship related to the necessity of business operations of the District would result, in accordance with Federal or State law.

1007.3 An applicant or employee who requires an accommodation in order to perform the essential functions of the job should inform the District and request an evaluation of such an accommodation. The individual with the disability should specify what accommodation he or she needs to perform the job. Generally, an interactive process meeting will be scheduled to discuss the request, job duties, and possible accommodations.

1007.4 Employees and applicants should contact their supervisor, the Human Resource Manager, or the General Manager for further information.

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1008 *Immigration Law Compliance*

1008.1 The District employs only United States citizens and non-citizens who are authorized to work in the United States. The District does not unlawfully discriminate on the basis of citizenship or national origin. In compliance with Immigration Reform and Control Act, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form (I-9) and present documentation establishing identity and employment eligibility no later than three (3) days following date of hire. If appropriate documentation is not received within this time, the employment relationship will be terminated.

1009 *Harassment*

1009.1 The District is committed to providing a work environment for its employees and customers that is free of harassment. The District prohibits sexual harassment, as well as harassment because of any legally protected class as described in paragraph **1005.2 *Equal Employment Opportunity***. All such harassment is unlawful. This policy applies to all persons involved in the operation of the District and prohibits harassment by any employee, independent contractor, or volunteer of the District including supervisors and co-workers.

1009.2 Harassment is disrespectful or unprofessional conduct and includes conduct based on any legally protected characteristic as described in paragraph **1005.2 *Equal Employment Opportunity***, and is prohibited. Such conduct includes, but is not limited to, the following behavior:

- a. Verbal conduct such as epithets, derogatory jokes or comments, slurs or unwanted sexual advances, invitations or comments, requests for sexual favors, inquiries into sexual experiences;
- b. Visual conduct such as derogatory and/or sexually oriented posters, photography, notes, letters, cartoons, drawings or gestures;
- c. Physical conduct such as assault, unwanted or offensive touching, unwelcome sexual advances, blocking normal movement or interfering with work because of sex, race or any other protected basis; and,
- d. Retaliation for having reported or threatened to report harassment, or participated in a sexual harassment investigation.

1009.3 If any employee of the District believes that he or she is being or has been harassed, or another employee is being or has been harassed, the employee should provide a complaint to the supervisor, Human Resource Manager, or the General Manager as soon as possible after the incident. The complaint should include details of the incident(s), name(s) of the individual(s) involved, together with the name(s) of any witness(es).

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1009.4 Staff receiving harassment complaints will refer them immediately to the General Manager or the President of the Board of Directors (in the event the complaint involves the General Manager) who will undertake an immediate, thorough, and objective investigation of the harassment allegation(s). An independent third party may be sought if deemed appropriate.

1009.5 If it is determined that harassment has occurred, effective remedial action will be taken in accordance with the circumstances involved. Any employee determined to be responsible for harassment will be subjected to appropriate disciplinary action, up to and including termination. A District representative will advise all parties concerned of the results of the investigation and whatever action is taken against the harasser. Retaliation by management or co-workers against anyone filing a complaint will not be permitted or tolerated.

1009.6 Employees are encouraged to immediately report any incident of harassment so that complaints can be quickly and fairly resolved.

1010 *Sexual Harassment*

1010.1 Acts of sexual harassment by employees, supervisors, or managers, are prohibited employment practices and are subject to sanctions and disciplinary measures, up to and including termination of employment.

1010.2 Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment.
- b. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual.
- c. Such conduct has the purpose or effect of substantially interfering with a person's work performance or creating an intimidating, hostile, or offensive work environment.
- d. Sexual harassment can occur between employees of the same sex. Sexual desire is not necessary.

1010.3 Prohibited acts of sexual harassment can take a variety of forms ranging from unwanted verbal or physical actions, subtle pressure for sexual activity to physical assault. Examples of the kinds of conduct included in the definition of sexual harassment are:

- a. Direct or indirect threats or suggestions of sexual relations or sexual contact that is not freely or mutually agreeable to both parties.
- b. Continual or repeated verbal abuses of a sexual nature including graphic commentaries on

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the person's body; sexually suggestive objects or pictures placed in the work area that may embarrass or offend the person; sexually degrading words to describe the person, or propositions of a sexual nature.

Policy Publicizing –

1010.4 All employees shall be informed of the District's sexual harassment policy and complaint process. Also, said policy and complaint process shall be readily available to all employees and members of the general public utilizing the District's facilities and services.

- a. All new employees shall be given a copy of the sexual harassment policy at the time of hiring and said policy's contents shall be discussed with said employee at that time by the supervisor within whose division they will be working. Please refer to the signed copy of **Appendix B Acknowledgement of Receipt**.
- b. All employees shall be provided a copy of the sexual harassment policy upon the filing of any complaint.
- c. An annual bulletin shall be prepared and distributed to all employees informing them of the District's sexual harassment policy.

1010.5 Within three working days after any complaint has been filed in accordance with this policy, a bulletin shall be prepared and distributed to all employees re-informing them of the District's sexual harassment policy.

Complaint Process –

1010.6 Any employee who believes he/she is the victim of sexual harassment, or who witnesses what he/she believes is sexual harassment, may file a formal or informal complaint without fear of reprisal or embarrassment. Complaints will be kept confidential to the fullest extent possible.

- a. An informal complaint is made verbally by the employee to the immediate supervisor. Although filing the complaint with the immediate supervisor is preferred, the employee is free to file a complaint with any supervisory employee.
- b. A formal complaint is made in writing, using the form provided in **Appendix F Employee Grievance**. Said form should be submitted by the employee to their immediate supervisor. Although submitting the formal complaint with the immediate supervisor is preferred, the employee is free to submit a formal complaint with any supervisory employee, or with the President of the Board of Directors if the employee's immediate supervisor is the General Manager and the General Manager is unavailable or personally involved in said complaint.

Complaint Response Process –

1010.7 Any supervisory employee who receives a formal or informal sexual harassment complaint shall at all times maintain the confidentiality of the complainant and shall personally

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deliver said complaint immediately and directly to their manager/supervisor, or to the General Manager if their manager/supervisor is unavailable or personally involved in said complaint.

- a. Within 24 hours of the filing of a formal or informal complaint, even if it is withdrawn, an investigation shall be initiated by the manager/supervisor of the division, in cooperation with the Human Resource Manager, within which the alleged harassment occurred. Said investigation shall be conducted by the General Manager if the manager/supervisor is unavailable or personally involved in said complaint.
- b. A written record of any investigation of an alleged sexual harassment shall be maintained. Findings will be sent to the General Manager. The General Manager shall immediately inform, in total confidentially, the Personnel Committee of the Board.
- c. All discussions resulting from said investigation shall be kept confidential by all informed of said investigation, to the fullest extent possible.
- d. The person initiating the complaint has the right to be accompanied by an advocate(s) when discussing alleged incidents. Said person shall be advised of this right prior to the commencement of such discussions.

Disciplinary Procedures and Sanctions –

1010.8 Upon conclusion of the investigation of an alleged sexual harassment, appropriate action shall be taken by the General Manager or the President of the Board of Directors (in the event the complaint involves the General Manager) against the harasser where sexual harassment is found, including mandatory sexual harassment training to prevent future incidents. Whatever the final conclusion of the investigation is, and any punishment meted out to the alleged harasser, if any, shall be made known to the victim of the harassment.

- a. Appropriate remedial action shall be taken, if any, resulting from the harassment.
- b. Action taken to remedy a sexual harassment situation shall be done in a manner so as to protect potential future victims. An employee involved in a confirmed incident shall be removed from supervision of a person verified to have committed a harassment activity.
- c. Employees complaining of sexual harassment shall be protected thereafter from any form of reprisal and/or retaliation.

1011 ***Positions Covered***

1011.1 All District employees are subject to the policies outlined in this *Employee Handbook*, however, employee benefits apply to positions classified as full-time, part-time, and temporary as described below:

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- a. **Full-Time** – A position whose duties are a regularly-established or planned position in the District and works at least a regular forty (40) hour workweek or more. The benefits described in this *Employee Handbook* apply to all full-time employees.
- b. **Part-Time** – A position whose duties are a regularly-established or planned position, but are less than forty (40) hours per week, but not less than twenty (20) hours per week. Unless otherwise specified, the benefits described in this *Employee Handbook* do not apply to part-time employees. If benefit coverage is specified for part-time employees, the benefit will be pro-rated based on the hours worked per week as a percentage of a normal 40 hour work week. Part-time employees who work less than 20 hours per week are not eligible for the benefits described in this *Employee Handbook*.
- c. **Temporary (or an Independent Contractor)** – A position having duties assigned to it that are not expected to become a regular part of the workload and who are employed for a temporary period of time or under a contract for a specified term and purpose. Normally, a temporary position will not exceed six (6) months in duration, unless specifically extended by the General Manager. Summer employees are considered temporary employees. Temporary employees and Independent Contractors are not eligible for benefits described in this *Employee Handbook*.

1012 *Review Hearing*

1012.1 All employees are at-will. However, upon notification of termination from employment, an employee may request a termination review hearing before the District Board of Directors. The request for a review hearing must be made by the employee within five days of termination. The review hearing will be held at the next regular meeting of the Board of Directors in closed session, unless the employee requests the review session be held during open session.

1013 *Administration of Rules*

1013.1 The Personnel Policies and Procedures set forth in this *Employee Handbook* shall be administered by the General Manager of the District, or his or her designee. The General Manager will remain responsible to the Board of Directors for any such delegation of authority.

1014 *Amendment and Revision of Rules*

1014.1 Amendment of this *Employee Handbook* (Personnel Policies and Procedures Manual), as recommended by the General Manager, must be approved by the District Board of Directors. The District reserves the right to alter or amend or modify these rules at any time without a written revision.

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CHAPTER 2

EMPLOYMENT POLICIES AND PRACTICES



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2001 *Recruitment and Selection*

2001.1 Each job announcement shall specify the classification title, the nature of the work to be performed, the pay rate or range for the classification, the minimum or desirable qualifications, and the period of time for the filing of the applications as determined by the General Manager. The General Manager may, in addition, add such information as he/she deems necessary. Applications for examinations shall be made on forms provided by the General Manager.

2001.2 The General Manager or his or her designee shall review all applications and other relevant supplemental application materials, and shall select the candidate(s) possessing the best job related qualifications for the examination process. If a candidate is hired and it is later found that he/she made false statements in the application or resume, this is grounds for dismissal.

2001.3 The selection techniques in the examination process shall be impartial, of a practical nature, and shall relate to those subjects which, in the opinion of the General Manager, fairly evaluate the relative capacities of the candidate to discharge the duties and responsibilities of the position to which they seek employment. Examinations may consist of selection techniques which will test fairly the qualifications of the candidate and may entail any one, or a combination of, achievement and aptitude tests, other written tests, personal interviews, performance tests, physical agility tests, evaluation of daily work performance, work samples, medical tests, or any other tests deemed appropriate by the General Manager.

2002 *Pre-Employment Background Check*

2002.1 Once the General Manager had determined that an offer of employment is eminent, the candidate(s) under final consideration will be asked to complete and sign the “Applicant Certification and Authorization” form so the District can conduct a background investigation. The candidate(s) will be provided with a copy of the “Applicant Notification” and the document titled: “A Summary of Your Rights Under the Fair Credit Reporting Act”.

2002.2 The background investigation may include inquiry into the applicant’s past employment, education, and activities, including, but not limited to, credit, criminal background information, social media page, and driving record. Previous employers and listed references may also be contacted. An offer of employment may not be extended until the background check is complete and the General Manager has determined that there are no issues that would prevent employment at the District.

2003 *Appointment*

2003.1 The General Manager shall make all offers of employment verbally and confirmed in writing, stating the job title, pay rate, and date of hire. Once an offer of employment has been

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made and accepted, employment may be contingent upon passing a comprehensive pre-employment physical examination and drug screening.

2004 *Pre-Employment Physical Examinations*

2004.1 All individuals who are offered employment may be required to submit to a physician's examination and controlled substance test at the District's expense.

2004.2 The examining physician will be provided a description of the job involved (including physical requirements of typical tasks) to assist in a determination of the individual's fitness to work.

- a. Employment will not occur until after a negative controlled-substance test result is certified, and until after a qualified physician has certified the individual as fit to perform the type of work required by the position applied for. The General Manager may authorize the hiring of an individual in advance of these certifications if he/she believes waiting may jeopardize the District's opportunity to secure an appropriately qualified candidate or in emergency situations. However, such pre-certification offers of employment shall clearly specify that they are conditional upon a negative controlled-substance test and/or the physician's fitness-for-work certification, and that employment will be terminated if controlled-substance test results in a positive outcome or if the physician does not certify the employee as fit to perform the type of work required for the position.
- b. Employment will not occur if the individual refuses to cooperate in the examination and testing.

2004.3 The candidate will be asked to complete and sign the "Drug Screening Authorization and Consent" form, and be provided a copy of the District's policy **3010 Drug-Free Work Place**. The Finance & Human Resource Manager will work with the candidate to schedule the drug screening.

2004.4 Retesting of an individual who was previously employed on a temporary, part-time, or full-time basis will be required if more than three months have elapsed since the individual's last day of work for the District.

2004.5 Appointments with the medical facility providing the examination and controlled substance testing shall be made at least one day prior to testing, if possible, with the individual to be tested provided minimal advance notice (no more than one day, if practical).

2004.6 When the individual to be tested reports to the medical facility for the scheduled examination and controlled substance testing, he or she must provide proof of identification, such as a driver's license photo or a state-issued photo identification card.

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2004.7 All test results shall be kept confidential. The applicant may be informed that he or she failed the test, but only the General Manager and his or her confidential designee shall have access to the actual test results.

2004.8 District employment application forms shall contain a notice to the applicants as follows:

The District has a policy of requiring a physician's physical fitness exam, together with urine drug testing of persons who have been offered employment. Individuals who are determined by the physician not to be physically fit for duty, or who test positive for controlled substances, will not be employed. If an applicant has reason to believe that he or she will not pass a physician's physical examination, or will test positive for the presence of controlled substances, or if the applicant is unwilling to consent to such an examination or test if offered employment, it is recommended that an application not be submitted.

2005 *Driver's License*

2005.1 Any District employee that drives a District vehicle, or is authorized to drive their own vehicle in the course of their employment, shall be required to have a valid California Driver's License of the appropriate class. The employee's driving record must be free of multiple or serious traffic violations or accidents and will be considered as part of the selection process and continued employment with the District. The Driver's License must be unrestricted.

2006 *Bonding*

2006.1 Any employee who handles District funds must be bondable and will be required to meet the standards for a fidelity bond from a surety acceptable to the District.

2007 *Immigration and Naturalization Act of 1990*

2007.1 It is the District's intention to only hire those workers who are authorized to work in the United States, pursuant to the Immigration and Naturalization Act of 1990, as may be amended. Any person offered employment with the District is required to provide proof of eligibility to work in the United States including the completion of all required forms (i.e., I-9) and submission of all required documents providing proof of identification. The District may use the Internet-based system, E-Verify, to determine eligibility of candidates to work in the United States.

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2008 *Employment of Relatives*

2008.1 It is the District's policy not to allow nepotism. Employees' close relatives will not be eligible for employment with the District where potential problems of supervision, safety, security, morale, or potential conflicts of interest exist. For the purpose of this policy, "close relative" is defined as husband, wife, domestic partner, live-ins/significant others, mother, father, son, daughter, brother, sister, father-in-law, mother-in-law, brother-in-law, sister-in-law, step-relationships, uncles, aunts, and cousins.

2008.2 If two employees marry or otherwise become related, and the potential problems noted above exist, only one of the employees will be permitted to remain employed by the District unless reasonable accommodations can be made to eliminate the potential problems. The two employees must make the decision as to which will remain with the District within thirty (30) calendar days. If no decision has been made during this time, both employees will be terminated.

2008.3 Any exception to this policy shall only be authorized by the District Board of Directors based upon the unique individual circumstances.

2009 *Promotions*

2009.1 Promotions to vacancies in higher classifications shall be made available to employees whenever such promotions are in the best interest of the District and the employee has the desirable qualifications for the higher position. Desirable qualifications for the employee up for promotion shall be ascertained on the same basis of information as collected from an initial outside applicant (i.e.: application, examination, interview, and evaluation) in accordance with the most current Job Description. The selection techniques in the examination process shall be impartial, of a practical nature, and shall relate to those subjects which, in the opinion of the General Manager, fairly evaluate the relative capacities of the candidate to discharge the duties and responsibilities of the position to which they seek.

2010 *Demotions - Non-disciplinary*

2010.1 The General Manager may demote an employee, with the written consent of the employee, to a vacant position in lieu of layoff, provided the employee possesses the desired qualifications for the position to which he/she is assigned.

2010.2 At least five working days before a non-disciplinary demotion becomes effective, written notice of the action shall be provided to the employee and the payroll department.

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2010.3 The General Manager shall provide the employee with written job duties within five working days of starting the new position and a written performance review within six months of the effective date of the demotion.

2011 *Notifications of Reductions in the Work Force*

2011.1 Under some circumstances, the District may need to restructure or reduce its workforce. The District maintains its exclusive right to make decisions on staffing and work requirements for employees. If restructuring operations or reducing the number of employees becomes necessary, the District will attempt to provide reasonable advance notice, if possible, to affected individuals. If possible, employees subject to layoff will be informed of the nature of the layoff and the foreseeable duration of the layoff, whether short-term or indefinite. Notifications shall be conducted in accordance with this policy.

2011.2 In determining which employees will be subject to layoff, the District will take into account, among other things, operational and workload requirements; the skill, productivity, ability, and past performance of those employees involved, and, when feasible, the employee's length of service.

2012 *Wage and Benefits*

2012.1 The District compensation plan is intended to provide fair compensation for all classes. The salary ranges are intended to recognize individual differences among positions allocated to the same class, the purpose of which is to provide employee incentive and reward employees for meritorious service. The employee's base wage is compensation covered by California Public Employees Retirement System (CalPERS) retirement. Please refer to **Appendix C Wage and Benefit Summary**, for monthly salaries by position and step.

2012.2 *Compensation at Hiring* – All newly-appointed employees shall be paid at the first step of the salary range for the position to which the employee is appointed, except as provided elsewhere herein. If the General Manager finds that qualified applicants cannot be successfully recruited at the first step of the wage range, he/she may authorize an appointment at an advanced step of the wage range. If a former full-time employee, who was separated in good standing, is re-employed in a position with the same or lower pay range than held at separation, he or she may be appointed at the same salary rate paid at the effective date of the person's termination, or the nearest lower applicable step for the range to which the person is appointed, provided such re-employment occurs within twelve (12) months from the date of said termination.

2012.3 *Merit/Step Advancement Within Range* – Any merit advancement within the salary range must be recommended by a supervisor after a satisfactory Performance Evaluation and be approved by the General Manager. The determination shall be noted on a Personnel Action Form

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to be placed in the employee's file. Please refer to **Appendix C Wage and Benefit Summary**, for additional information and requirements.

2013 *Longevity Pay/Steps*

2013.1 Employees who have achieved at least fifteen (15) years of continuous service with the District are eligible to receive additional compensation in recognition of those years of service. The Longevity Step the employee is eligible for is added to the employee's base pay at his or her current position and step. The longevity step is guaranteed for employees once they reach the required number of years of service and longevity compensation is covered by CalPERS retirement. Please refer to **Appendix C Wage and Benefit Summary**, for additional information.

2014 *Performance Evaluations*

2014.1 **Purpose** – The purpose of the Employee Performance Evaluation is to provide guidelines for conducting periodic review of each employee's job performance.

2014.2 **Policy** – It shall be the policy of the District that:

- a. The purpose of performance evaluations is to help employees achieve a better understanding of specific job expectations, facilitate communications between the employees and the supervisor, help employees develop and maintain good job skills and prepare for job/career advancement, acknowledge outstanding performance, and document the employee's progress toward fulfilling performance standards in areas needing improvement.
- b. Performance evaluations are an inherent part of the ongoing supervision process by which employees are informed of their performance expectations and advised of their progress and any performance deficiencies.
- c. New employees shall be formally evaluated in writing at the end of the first six (6) months in a classification, or at other additional intervals at the Supervisor's discretion. A new Supervisor's position will be evaluated in writing at the end of the first six (6) and twelve (12) months in the classification, or at other additional intervals as determined by the General Manager.
- d. Regular employees shall be formally evaluated annually in their respective classifications. An employee's performance may also be formally evaluated at other than the above-scheduled times for specific reasons, as determined by their Supervisor.
- e. The formal evaluation process should include adequate time for discussion before the evaluation is finalized and the employee shall have an opportunity to respond to the Supervisor and/or General Manager's evaluation after it is finalized.

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- f. If an employee receives two deficient evaluations at any time, the General Manager will place the employee on probationary status for a time period to be determined.

2014.3 Performance evaluations do not extend or grant any guarantee or right of continued employment upon any employee.

2014.4 Procedure –

- a. The immediate supervisor(s) shall prepare a Preliminary Employee Performance Evaluation Form prior to the actual Employee Performance Evaluation.
- b. An employee will be evaluated by his or her immediate supervisor and/or the General Manager. When an employee changes classifications and starts a new probation period, this starts a new evaluation schedule. The General Manager, supervisor, and employee will review the Preliminary Employee Performance Evaluation and Employee Performance Evaluation forms and discuss each factor. The General Manager or Finance and Human Resource Manager shall place the original evaluation in the employee's personnel file.
- c. Evaluations will be based primarily on observable facts such as inspection of work done, review of employee reports, review of activity reports/time logs, achievement of agreed upon goals, work direction adherence, and a review of attendance. The evaluation may include an analysis of compliments and complaints received, discussion with other employees of persons affected by the work, or those who give the employee directions.
- d. The General Manager shall notify the employee in advance of any formal evaluation. After the initial evaluation, the employee may review the Preliminary Employee Performance Evaluation and Employee Performance Evaluation Forms. A meeting will be scheduled by the General Manager to discuss the evaluation. The employee shall have the opportunity to prepare and have attached to the evaluation form any written comments that the employee wishes to make.
- e. If at any time during the evaluation process, the General Manager anticipates giving the employee an evaluation that is less than an overall satisfactory rating, the General Manager shall discuss this conclusion with the employee's immediate supervisor.
- f. An employee who is given an overall rating of less than satisfactory shall be given specific objectives and goals, which shall be attached to the evaluation. Subsequently, if the General Manager believes the performance issue has been resolved, he or she may prepare a memorandum to the employee stating that fact, a copy of which shall be attached to the evaluation.
- g. The employee's signature on an evaluation form represents receipt thereof and indicates only that the employee has reviewed the form and had an opportunity to discuss it with his or her supervisor and the General Manager. If an employee refuses to sign an evaluation

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form, a notation to that effect shall be made on the form, which shall then be processed in the usual manner.

- h. An employee shall be given a copy of the evaluation forms at the time that the General Manager and supervisor and employee sign it. The original shall be placed in the employee's personnel file.

2014.5 Responsibility –

- a. The employee's supervisor shall provide the employee with a clear explanation of his or her duties and responsibilities and the supervisor's performance expectations. The General Manager shall conduct the ongoing evaluation of work performance and prepares a written performance evaluation when it is due.
- b. The General Manager shall issue the appropriate evaluation forms prior to the evaluation date, receive and maintain completed evaluations in the employee's personnel file, and monitor the performance evaluation program.

2015 *Hourly Rates of Pay and 2080 Hour True-Up*

2015.1 Employees working in part-time and/or temporary positions that are being compensated on other than a monthly basis shall be paid for actual hours worked during the pay period.

2015.2 All regular full-time employees are compensated at the rate of 1/12th of their annual salary on a monthly basis, however, hourly employees shall have their actual hours worked "trued-up" in comparison to the total hours paid on an annual basis, and any correction in the amount earned by employees shall be paid in December. The standard number of hours worked in a year is calculated as 40 hours per week, times 52 weeks per year, or 2080 hours. By paying 1/12th of their salary each month, an hourly employee will be paid for 2080 work hours in a year. However, during some calendar years, there can be more or less than 2080 hours worked, and by doing the "true-up", the District adjusts the amount paid so no employees are over- or under-compensated.

2015.3 For new hourly employees, working for less than a full year their first year of employment, the District will do a "true-up" at year-end by comparing actual hours worked to hours paid to ensure hourly employees are compensated for all hours worked, since it will be less than 2080 hours in the first year. For terminating hourly employees, the District will do a "true-up" calculation for the portion of the calendar year worked prior to issuing their final pay check.

2016 *Timekeeping*

2016.1 It is the responsibility of every employee to accurately record time worked. Federal and state laws require the District to keep an accurate record of time worked in order to calculate

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employee pay and benefits. Time worked is the time actually spent on the job performing assigned duties, less meal periods.

2016.2 Time sheets are used to report where time was spent on District business from the 16th of one month thru the 15th of the next month. Time sheets will be used to pay overtime and on-call duty pay, as well as track paid time off for holidays, vacation, sick, bereavement, floating holidays and management leave. Time sheets must be signed by employees and their supervisors, and are due on the 16th of each month. Please refer to **Appendix D Time Sheet**, for a District approved sample time sheet.

2016.3 It is the employee's responsibility to timely sign and submit his or her time records certifying the accuracy of all time recorded for compensation.

2017 *Payroll Deductions*

2017.1 The District is required by state and federal law to withhold a portion of an employee's pay for tax or government-mandated benefit programs and other mandatory deductions from time to time. These legally-required deductions include, but are not limited to, the following:

- Federal income tax
- State income tax
- Employee's contribution to social security and Medicare
- Court ordered deductions (such as garnishments) and tax liens
- Any other deductions, i.e., partial-day absences that should be included.

2017.2 Additionally, employees may authorize certain deductions to be made from their paychecks for reasons such as payment of group medical insurance premiums for dependents. All deductions, whether legally required or voluntary, are itemized on each employee's paycheck stub.

2017.3 Every employee is required to submit a Form W-4 (federal) and Form DE-4 (state) at the beginning of each year to direct the payroll staff to make appropriate federal and state income tax deductions.

2018 *Payroll Deductions for Salaried Employees*

2018.1 Employees paid on a "salary basis" regularly receive a predetermined amount of compensation each pay period. Subject to the exceptions listed below, a salaried employee will receive his or her full salary for any workweek in which he or she performs any work, regardless of the number of days or hours worked. A salaried employee may not be paid for any workweek in which he or she performs no work, subject to the District benefits programs and policies.

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2018.2 No deductions from salary may be made for time when work is not available, provided the salaried employee is ready, willing, and able to work. Deductions from pay are permissible when a salaried employee:

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

2018.3 It is the District's policy to comply with these salary basis requirements. Therefore, the District prohibits all employees and managers from making any improper deductions from the salaries of exempt employees. The District does not allow deductions that violate federal or state law.

2018.4 If an employee believes an improper deduction has been made, he or she should immediately report this information to a direct supervisor.

2018.5 Reports of improper deductions will be investigated promptly. If it is determined that an improper deduction has occurred, an employee will be promptly reimbursed for any improper deductions.

2019 *Payroll Direct Deposit*

2019.1 The District offers automatic payroll deposit for employees on a discretionary basis to qualifying banking institutions. Employees may begin and stop automatic payroll deposit at any time with written notice to the payroll department. To begin automatic payroll deposit, employees must complete a form (available from the payroll department) and return it to payroll at least 15 days before the pay period for which an employee would like the service to begin. The employee should carefully monitor payroll deposit statements at his or her banking institution for the first two pay periods after the service begins to ensure the deposit is correctly applied to his or her account.

2019.2 To stop automatic payroll deposit, employees must complete the form available from the payroll department and return it to payroll at least 15 days before the end of the pay period for which the service ends. A regular payroll check will be issued on the first pay period after the receipt of the form by payroll, provided it is received no later than 15 days before the end of the pay period.

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2020 Pay Periods/Payday

2020.1 Employees shall be paid monthly. Pay periods are from the first to the last day of the month. Paydays are the last working day of the month.

2020.2 If an employee has a questions about a paycheck, he or she should discuss them with a supervisor. If the supervisor is unable to answer the question, he or she will refer the employee to the Finance & Human Resource Manager or the General Manager or his or her designee.

2021 Work Hours

2021.1 The basic day of work for full-time employees is eight (8) hours, exclusive of the meal period. Various factors, such as workloads, operational efficiency, and staffing needs, may require variations in an employee's starting and quitting times and total hours worked each day or each week. The District reserves the right to assign employees to jobs other than their usual assignments when required. In addition, employees may be required to work overtime or hours other than those normally scheduled whenever necessary.

2021.2 The standard workweek begins at 12:01 a.m. Sunday and ends at 12:00 midnight the following Saturday. Normal working hours for field crew personnel are Monday through Friday; 7:30 a.m. to 4:30 p.m. with a one-hour lunch break. Normal working hours for field management are Monday through Friday, 7:30 a.m. to 4:30 p.m., with a one-hour lunch break. Normal working hours for office workers and management personnel is Monday through Friday; 8:00 a.m. to 5:00 p.m. with a one-hour lunch break. The on-call time period is Thursday, 5:01 p.m. to Thursday, 5:00 p.m.

2021.3 The General Manager may allow for work schedules that deviate from the standard hours when it is determined to be in the best interest of the District.

2022 Overtime

2022.1 An eligible hourly employee shall receive overtime compensation for any time worked, plus time taken for authorized paid leave of absence, in excess of forty (40) hours per seven (7) day work period or any time worked in excess of the employee's eight (8) hour or greater normal daily work shift. Overtime shall be compensated at the rate of one and one-half (1-1/2) times the regular rate of pay.

2022.2 Any work performed on a holiday shall be compensated at the overtime rate. Overtime work must be approved in advance whenever possible. Overtime shall be calculated to the nearest quarter hour. Overtime pay is not reportable compensation for CalPERS retirement.

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2023 *Use of Make-Up Time*

2023.1 The District allows the use of make-up time when non-exempt employees need time off to tend to personal obligations. Use of make-up time is discretionary and subject to preapproval by the General Manager. Make-up time worked will not be paid at an overtime rate.

2023.2 Subject to compliance with this policy, employees may take time off and then make up the time later in the same pay period, or may work extra hours earlier in the pay period to make-up for time that will be taken off later in the pay period.

2023.3 Make-up time requests must be submitted in writing to an employee's supervisor, with their signature, on the District provided form; see **Appendix E *Leave of Absence Request*** form. Requests will be considered for approval based on the legitimate business needs of the District at the time the request is submitted. A separate written request is required for each occasion the employee requests make-up time.

2023.4 If an employee requests time off that will be made up later in the week, he or she must submit the request at least 24 hours in advance of the desired time off. Requests to work make-up time prior to taking time off later in the week must be submitted at least 24 hours before working the make-up time. Make-up time requests must be approved in writing before an employee takes the requested time off or works make-up time, whichever is first.

2023.5 If an employee takes time off and is unable to work the scheduled make-up time for any reason, the hours missed will normally be unpaid. However, employees may be able to use other paid time off, such as vacation, sick (if the time off reason qualifies, such as for a doctor appointment), or floating holiday time, if such time is available.

2023.6 An employee's use of make-up time is voluntary and subject to the ability of the District to accommodate the employee. The District does not encourage, discourage, or solicit the use of make-up time off.

2024 *Management and Administrative Employees*

2024.1 Management and Administrative employees exempt from overtime provisions of the Fair Labor Standards Act shall receive a monthly salary and shall not receive overtime pay. These employees are expected to accomplish results in their positions, regardless of the time necessary to accomplish the results. Absence of these employees from their workstations during normal working hours is subject to the approval of the General Manager. The General Manager shall attend all Board of Directors meetings and may direct other salaried management and administrative employees to attend Board meetings. Said time is to be considered a part of these employees' regular working hours. The Secretary to the Board of Directors shall also attend all Board meetings.

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2025 *Rest & Meal Periods*

2025.1 All full-time employees shall take periods of rest during the workday consisting of a ten-minute rest period in the morning, another ten-minute rest period in the afternoon, and a one-hour meal period.

2025.2 Employees are required to notify their immediate supervisor, where feasible, at the beginning of any break or meal periods. Please keep in mind that when employees are not on a break, they are expected to devote their full efforts to their duties.

2025.3 Employees are relieved of all active responsibilities and restrictions during meal periods and are not compensated for that time. Employees responsible for handling emergencies or safety-related duties may have to work through or cut short breaks or meal periods. Employees are responsible for making sure they take their breaks and meal period each day.

2026 *Advancement of Wages*

2026.1 This policy shall apply to all District employees.

2026.2 Employees requesting payment of wages in advance of regular pay days as defined in policy **2020.1 Pay Periods/Payday**, shall submit a written request to the Finance & Human Resource Manager.

2026.3 The Finance & Human Resource Manager may authorize the requested advancement of wages if the amount requested does not exceed the wages accrued (excluding applicable deductions) by the employee to the date of said request.

2026.4 Advancement of wages prior to a regular payday is not a right or privilege, but may be authorized by the Finance and Human Resource Manager, at his or her discretion, in case of employee necessity or personal financial emergency. The advance must be repaid from the next paycheck of the employee.

2026.5 Requests for advancement of wages may be submitted only once in any three-month period, and frequent requests shall be grounds for denial.

2027 *Wage Garnishments*

2027.1 A garnishment is a legal levy by a creditor against an employee's pay. The District expects all employees to manage their personal finances so as not to involve the District wherever possible.

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2027.2 All garnishments and other attachment orders required by law and received by the District will be honored. When a garnishment action is received, the Finance & Human Resource Manager will inform the employee of the amount involved to the extent allowed by law.

2027.3 An employee who suspects that a garnishment action may occur should review the situation with the Finance & Human Resource Manager or General Manager immediately.

2028 *Employee Personnel Records*

2028.1 A record of employment shall be maintained on all District employees, regardless of employment status. Such record shall be known as the employee's personnel file and shall contain all pertinent information concerning said employee's employment with the District. All personnel information and records are confidential to the extent allowed by Federal or State law.

2028.2 An employee may receive a copy of any document entered into his or her personnel file upon request. No document may be removed from an employee's personnel file except as provided for by law. The District policy is to require all personnel files to be maintained in a secure and private condition. Only the Finance & Human Resource Manager and the General Manager or his /her designee shall have access to personnel files and only for business necessity. Any District employee, however, may review his or her own personnel file or give written authorization to have his or her representative review the file, at a mutually convenient time with the General Manager.

2028.3 Employee medical records are considered part of the employment record but shall be kept separate and apart from the personnel file. Both the personnel files and medical records files shall be kept secure and with limited access. The District Board of Directors shall designate the General Manager as the custodian of all these files.

2029 *"HIPAA" Compliance*

2029.1 Authorization as required under the Health Insurance Portability and Accountability Act (HIPAA) for disclosure of protected health information (PHI) will be a condition of employment or continued employment with the District to the fullest extent allowed by law. This is applicable to pre-employment physicals, drug testing, leave-of-absence requests, fitness-for-duty physicals, and any other lawful need for medical information. Refusal to authorize release of PHI in any of the above instances will be grounds for discipline up to and including termination.

2030 *Employee References/Verification of Employment*

2030.1 All requests for references or employment information must be directed to the Finance & Human Resources Manager or the General Manager. No other manager, supervisor, or employee is authorized to release references for current or former employees.

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2030.2 By policy, the District discloses only the dates of employment and the title of the last position held by former employees. If a District employee or former employee authorizes the disclosure of information in writing, the District also will inform prospective employers or financial entities of the amount of salary or wage last earned.

2030.3 No employee may provide information about a current or former employee without prior written authorization of the Finance & Human Resource Manager or General Manager. Violation of this policy may result in disciplinary action up to and including termination.

2031 *Personal Information*

2031.1 Employees are responsible for updating the District with any changes in personal information. It is in an employee's best interest to make sure the paycheck reflects the proper deductions and that dependents are covered by all appropriate benefits and that all personal data is accurate and up to date. Employees shall notify the Finance & Human Resource Manager, General Manager, or the General Manager's designee of any changes in their personal status as soon as possible.

2031.2 Required information includes:

- a. Name
- b. Home and Mailing Address
- c. Home and Cell Phone Telephone Number(s)
- d. Number, Names, and Status of Spouse and Dependents
- e. Change of Emergency Contact Information
- f. Educational Accomplishments
- g. Marital or Registered Domestic Partner Status
- h. Payroll Deductions
- i. Benefit Plan Beneficiary

2031.3 The District shall not be responsible in the event of an employee's failure to provide this information in a timely manner such that it results in a loss of benefits or services to the employee or dependents.

2032 *Separation from Employment*

2032.1 *Resignation* – An employee who desires to terminate employment is requested to submit a written resignation at least two (2) weeks before the intended resignation date. All keys, safety

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equipment, rain gear, uniforms, or any other District property furnished to an employee must be returned and accounted for or their value may be deducted from the employee's final paycheck.

2032.2 Layoffs – Whenever, in the judgement of the District Board of Directors, it becomes necessary, due to the lack of work, lack of funds, or other economic reason, or because the necessity for a position no longer exists, the Board of Directors may abolish any position of employment, and the employee holding such position may be laid off or offered the option of moving to another position within the District, if a position is available and if the employee is qualified.

2032.3 Dismissal – A regular employee may be dismissed at any time by the General Manager, with or without cause and with or without notice; see policy **1004 Employment Status At-Will Statement**.

2033 Job Abandonment

2033.1 Subject to federal and state law, an employee who is absent from work for three (3) consecutive working days, without authorization, will be considered to have abandoned their job as of the last day of active employment and will be declared to have voluntarily terminated his or her position, unless the General Manager determines the absence was due to an unavoidable situation and the employee was unable to contact the District office due to circumstances beyond the employee's control.

2034 Grievance Procedures

2034.1 This policy shall apply to all employees in all classifications. The purpose of this policy is to provide a procedure by which an employee may formally claim that he or she has been affected by a violation, misapplication, or misinterpretation of a law, District policy, rule, regulation, or instruction.

2034.2 Specifically excluded from the grievance procedure are Harassment and Sexual Harassment (since they have their own processes, see **1009 Harassment** and **1010 Sexual Harassment**), and subjects involving the amendment of state or federal law; resolutions, ordinances or minute orders adopted by the District's Board of Directors, including decisions regarding wages, hours, and terms and conditions of employment.

2034.3 There are additional resources available for employees from various federal and state government agencies. See those listed in paragraph **1005.5 Equal Employment Opportunity**, and also see the California Labor and Workforce Development Agency listed below.

- **The California Labor & Workforce Development Agency (LWDA)**. This is a state agency that oversees seven major departments, boards, and panels that serve California businesses and workers. Information is available on its website at www.labor.ca.gov/.

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- For labor law issues, Cal/OSHA-Safety & Health issues, Workers' Comp issues, and other work-related issues, employees can contact the Department of Industrial Relations, Division of Labor Standards, by calling 1-844-LABOR-DIR (1-844-522-6734), or by visiting its website at www.dir.ca.gov. Employees may also contact a district office of the Labor Commissioner, such as the San Jose Labor Commissioner's office, at 408-277-1266. The complete list of district offices can be found on their website at www.dir.ca.gov/dlse/DistrictOffices.htm.

2034.4 Grievance Procedure Steps

- Level I – Preliminary Informal Resolution** – Any employee who believes he or she has a grievance shall present the evidence thereof orally to his or her immediate supervisor or the Finance and Human Resource Manager within five (5) working days after the employee knew, or reasonably should have known, of the circumstances which form the basis for the alleged grievance. The immediate supervisor or Finance and Human Resource Manager shall hold discussions and attempt to resolve the matter within three (3) working days after the presentation of such evidence. This informal meeting should include at least one personal conference be held between the employee and the immediate supervisor or Finance & Human Resource Manager.
- Level II – General Manager** – If the grievance has not been resolved at Level I, the grievant may present his or her grievance in writing, on the form provided by the District in **Appendix F Employee Grievance**, to the General Manager, or his or her designee within ten (10) working days after the occurrence of the act or omission giving rise to the grievance. If the grievance involves the General Manager, Level II responsibilities shift to the Finance & Human Resource Manager.

The statement shall include the following:

1. A concise statement of the grievance including specific reference to any law, policy, rule, regulation, or instruction deemed to be violated, misapplied or misinterpreted;
2. The circumstances involved;
3. The decision rendered by the immediate supervisor at Level I; and
4. The specific remedy sought.

After receiving the grievance, the General Manager shall communicate his or her decision within fifteen (15) days, or indicate that up to an additional fifteen (15) days is needed to conclude the investigation and render his or her decision should the situation warrant it. Decisions shall be in writing setting forth the reasons therefore and will be transmitted promptly to all parties in interest. If the General Manager does not respond within the time limits, the grievant may appeal to the next level. Time limits for appeal shall begin the day following receipt of the General Manager's written decision. Within the above time limits, a party may request a personal conference with others.

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- c. **Level III – Board of Directors’ Personnel Committee** – In the event the grievant is not satisfied with the decision at Level II, the grievant may appeal the decision in writing on the form provided by the District in **Appendix F Employee Grievance**, to the District Board of Directors’ standing Personnel Committee within five (5) days of the General Manager’s decision. The statement shall include a copy of the original grievance; a copy of the written decision by the General Manager; and a clear, concise statement of the reasons for the appeal to Level III.

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

2034.5 Basic Rules –

- a. If an employee does not present the grievance, or does not appeal the decision rendered regarding the grievance within the time limits specified above, the grievance shall be considered resolved.
- b. By agreement in writing, the parties may extend any and all time limitations specified above.
- c. The General Manager may temporarily suspend grievance processing on a District-wide basis in an emergency situation. Employees covered by this policy may appeal this suspension to the Board of Directors.
- d. A copy of all formal grievance decisions shall be placed in the employee’s permanent personnel file.

2100 *Return to Work Program*

2100.1 Program Overview –

- a. The District recognizes employees are a critical part of operations, and even if an employee becomes injured on or off the job, or has a temporary disability as a result of surgery or an illness, he or she remains a valuable staff member. A Return to Work Program (RTW) is a proven essential cost containment element of the District’s overall risk management program. The RTW is an effective tool in returning employees to productive work in the shortest time possible, while maintaining high morale and keeping costs to a minimum.
- b. It is the District’s goal to bring an employee back to work in a useful capacity as soon as possible. The District looks at transitional duty from the positive point of view that its

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employees want to work. Employees must recognize that this Program is set up as a benefit for them. See **Appendix G Form B. Worker's Responsibilities**.

- c. If an employee is injured on or off the job, or has a temporary disability as a result of surgery or illness, the Program looks at ways to bring him or her back to work as soon as the doctor determines they are medically ready. This may mean making temporary modifications to job duties or work hours to accommodate recovery.
- d. Co-workers of the employee entering the RTW Program may need to pick up some of the duties, but must know that others would do the same for them if they found themselves in a similar situation.
- e. If the employee does not report to work (modified duty or regular work) when the doctor releases the employee, or if accrued leave has expired, the employee may not be eligible for temporary disability payments, workers' compensation payments, or regular wages, and the employee could be subject to disciplinary action, up to and including termination.

2100.2 RTW Team –

- a. An internal RTW team has been established to facilitate this program. This team consists of the following people:
 - General Manager
 - Finance & Human Resources Manager
 - Water/Wastewater Superintendent
- b. The Finance & Human Resources Manager has been designated as the RTW Coordinator. This person will act as a liaison between the employee, supervisor, doctor, and the Joint Powers Insurance Authority (JPIA) Claims Representative (if workers' compensation is involved).

2100.3 Modified or Alternate Duty –

- a. The District will consider the following when attempting to identify alternative duties:
 - The first priority is to return the employee to the same job, if possible, based on the medical restrictions as prescribed by the treating physician. Building on existing work experience and working relationships avoids adding stresses of adjusting to new tasks and surroundings.
 - If this is not possible, the returned employee should be provided modified work in the same department. Job or work site modifications may include a temporarily reduced work schedule, changed duties, trading physically demanding parts of the job with co-workers, altering the way duties are performed, making physical changes in the workstation, and providing the employee with specialized tools or adaptive devices.

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- As a last alternative, the employee may be returned to work in a different department. Transferable employment skills will be emphasized and on-the-job training will be provided to supplement these skills.
- b. Regardless of the accommodations made, transitional employment should be productive and will tailor the work assigned to the employee's individual abilities in order to facilitate recovery. The duties will be flexible so they can be easily altered to meet the requirements of the employee's medical program or the District's internal needs.
- c. The District's RTW Program is designed to accommodate temporary disability. The time in the program should typically not exceed ninety (90) calendar days. As healing occurs, the employee's work duties will be changed and frequently modified to reflect increased work capacity of the recovering employee, as dictated by the physician's restrictions.
- d. For workers' compensation claims, if the employee is not going to reach full duty within the ninety (90) calendar-day period, the RTW team will work with the JPIA Claims Representative and the doctor on an alternative plan of action. In the case of a non-industrial claim or disability, the RTW Coordinator will contact the doctor to discuss an alternative plan of action.

2100.4 Designated Industrial Medical Provider for On-the-Job Injuries/Illnesses –

- a. For workers' compensation, the RTW team or its representatives will meet with the doctor to discuss the RTW program. The success of the program will depend on good communication between the RTW Coordinator, the doctor, the injured worker, and the JPIA claims representative.
- b. When an injury occurs, the District will obtain immediate medical attention for the injured worker. Depending on the seriousness of the injury, 911 will be contacted or the employee's supervisor will drive the employee to the District's industrial medical provider. If the employee has to go to the hospital, the ambulance should be directed to take the employee to: **Hazel Hawkins Memorial Hospital**.
- c. If possible, the District should request its industrial medical clinic to have an arrangement with the designated hospital to refer the employee back to **Pinnacle Urgent Care** after release from the hospital. The District may need to redirect the employee to the clinic after release from the hospital.
- d. The RTW Coordinator will assure **Pinnacle Urgent Care** has a copy of the employee's job description. If the employee's supervisor takes the employee to the clinic, he or she will take a copy of the job description.
- e. If the supervisor accompanies the employee to the clinic, a discussion should be held with the doctor at the conclusion of the appointment regarding any restrictions the doctor is placing on the employee's job duties.

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- f. The RTW team will then discuss what modifications can be made to accommodate the restrictions. Once determined, RTW Coordinator will contact the doctor and discuss.

2100.5 Employee Eligibility –

All full-time employees are eligible to participate in the RTW Program, however, under certain situations, as determined by the General Manager or his or her designee, it may not be offered.

2100.6 Management Orientation –

- a. The management team will be held accountable for the effective implementation of the RTW program.
- b. Being a small organization, the management team plays an essential role in helping an injured or ill employee transition back to work. The team's training, dedication, and commitment are essential to the success of the RTW program.
- c. If an injured worker is not released to return to full or modified duty, the RTW Coordinator will make regular calls to the employee to review his or her health and recovery. The RTW Coordinator should let the employee know that he or she is missed and that the District is looking for the employee's early recovery and quick return. The RTW Coordinator should determine when the employee's next doctor's appointment is scheduled. If this information is communicated to the employee's supervisor, the supervisor should pass the information on to the RTW Coordinator.
- d. The injured employee's supervisor will meet with the injured employee and the RTW Coordinator when the employee returns with restrictions from the doctor. This group, with the help from the RTW team as needed, will determine what work restrictions will be imposed to meet the doctor's restrictions. A Transitional Duty Assignment form (**Appendix G Form A. Transitional Duty Assignment**) will be completed and signed by the employee, supervisor, and RTW Coordinator.

2100.7 Employee Orientation –

- a. All employees will be notified of the RTW Program at the time the Program is implemented. New hires will be informed of the RTW Program during Employee Orientation.
- b. All employees will be held accountable for providing assistance with the RTW Program if called upon. The success of this Program is judged on the collective effort of all employees.

2100.8 Monitoring an Injury/Illness –

- a. The RTW Coordinator will give the injured or ill worker all the pertinent forms and information, and will review with the employee his or her responsibilities for the RTW Program.

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- b. If an employee is not returned to full or modified duty immediately, the RTW Coordinator may need to follow-up with the doctor to see if there are any restrictions that could be imposed that might allow the worker to return. The RTW Coordinator will ask the doctor to complete the Physician's Report / Employee Work Status form (**Appendix G Form K. Physician's Report / Employee Work Status**). The RTW Coordinator will meet with the employee's supervisor and the employee to determine what modifications can be made to meet the doctor's restrictions. For non-workers' compensation cases, a Fitness for Duty Exam may be warranted and will be coordinated through Occu-Med.

2100.9 Employee's Responsibilities –

- a. If the doctor releases the employee to full duty with no restrictions, the employee will provide a copy of the Physician's Report / Employee Work Status form (**Appendix G Form K. Physician's Report / Employee Work Status**) to his supervisor and then return to full duty.
- b. If the employee is not released to return to work, it is the employee's responsibility to attend each scheduled doctor's appointment.
- c. If the doctor releases the employee with restrictions, the employee will provide a copy of the Physician's Report/Employee Work Status form (**Appendix G Form K. Physician's Report / Employee Work Status**) to the RTW Coordinator. The employee will then participate in a meeting with his or her supervisor and the RTW Coordinator regarding how the employee's job duties will be modified to meet the restrictions imposed by the doctor. A Transitional Duty Assignment form (**Appendix G Form A. Transitional Duty Assignment**) will be completed at this time and signed by the employee, supervisor, and RTW Coordinator. Once this form has been signed, it will be the employee's responsibility to:
 - Work within the physical limitations set by the physician at all times, and perform only those temporary duties assigned to the employee by his or her supervisor.
 - Advise the supervisor if he or she is having difficulties performing the assigned tasks.
 - Notify a supervisor in advance if he or she must miss work for a medical appointment. The District requests employees make every effort to schedule medical appointments at the beginning, end, or outside of work schedules to minimize the disruption.
 - On future visits to the doctor, advise the RTW Coordinator and the supervisor of any changes in work restrictions. Provide the RTW Coordinator with an updated copy of the Physician's Report / Employee Work Status form (**Appendix G Form K. Physician's Report / Employee Work Status**).
- d. It is the supervisor's responsibility to ensure the employee is following the restrictions and directions provided. If the employee is not, then appropriate action will be taken after consultation with the RTW Coordinator.

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CHAPTER 3

STANDARDS OF CONDUCT



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3001 Standards of Conduct & Employee Discipline

Standards of Conduct –

3001.1 Working together at the District requires cooperation and mutual respect for the rights of all employees, customers, and the general public. Therefore, the District has high expectations regarding the personal conduct of all employees. The following measures are part of the disciplinary process: warning, reprimand, suspension with or without pay, dismissal, demotion, and reduction in pay.

Grounds for Discipline –

3001.2 While continuation of employment is at the mutual consent of an employee and the District, it may be helpful to identify some examples of the types of impermissible conduct that will lead to immediate termination. Although it is not practical or possible to provide an exhaustive list of all types of impermissible conduct and performance, the following are some examples:

- a. Violation of any District policy, whether or not stated in the *Employee Handbook*.
- b. Discourteous treatment of the public or fellow employees.
- c. Drinking intoxicating beverages or using illegal or non-prescribed drugs on the job, or arriving on the job under the influence of such beverages or drugs. (*Note:* Legal use of prescribed drugs in a safe manner, as instructed, is permitted as long as it does not impair the employee's ability to perform the essential functions of the job.)
- d. Habitual absence or tardiness.
- e. Abuse of sick leave.
- f. Disorderly conduct.
- g. Incompetence or inefficiency.
- h. Being wasteful of material, property, or working time.
- i. Violation of any lawful or reasonable regulation or order made and given by an employee's supervisor; insubordination.
- j. Neglect of duty.
- k. Dishonesty.
- l. Misuse of District property.
- m. Willful disobedience.

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- n. Conduct unbecoming a District employee.

Employee Discipline –

3001.3 Circumstances, such as those listed above, may occur that necessitate disciplinary action by the District. The District, in its sole discretion, may impose discipline. Discipline does not affect an employee's at-will employment status with the District.

- a. Summary discipline will be taken in cases involving criminal conduct, drunkenness or drug abuse on the job, insubordination and similar employee conduct which, in the reasonable opinion of the District, requires immediate dismissal from employment with the District. (*Note:* In cases of summary discipline, the employee may not have a right to a review hearing as described in paragraph **1012.1 Review Hearing**.)
- b. Where summary discipline is not required, the District may implement any of the following measures:
 - Written Reprimand – a written warning that becomes part of an employee's personnel file, and which includes a statement of the unacceptable behavior, the corrective measures desired, and the time period in which the improvement must be made.
 - Suspension Without Pay – a suspension from work for a designated time period without pay.

3001.4 Disciplinary action, other than summary discipline, will be accompanied by a letter of warning to the employee stating the reasons and grounds for such discipline. The employee must acknowledge receipt of the warning by signing the letter at the time of presentation; this signature signifies only receipt of the document, not necessarily agreement to the contents. The employee may, before the conclusion of two working days, respond in writing to the contents of the warning letter.

3001.5 All disciplinary actions or warning letters shall remain part of the employee's personnel file. Disciplinary actions shall not be used by the General Manager in decisions to dismiss an employee if the performance has improved or the action that merited a warning has not recurred within a one-year period.

3001.6 Any disciplinary action that results in suspension without pay shall be set forth in writing to the employee at least five working days before the proposed effective date or dates. This notice shall be prepared by the General Manager after consultation with District Legal Counsel and shall contain the following:

- a. A statement of the acts or omissions upon which the action is based;
- b. A description of the proposed action and its effective date or dates, and the ordinance, regulation, or rule violated;

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- c. A statement that a copy of the materials upon which the action is based is attached or available for inspection upon request;
- d. A statement advising the employee of the right to request a hearing as provided in policy **1012 Review Hearing**;
- e. A date by which time the employee must respond in writing if he/she wishes to contest the action.

3001.7 The General Manager shall review and approve discipline recommended by the supervisor involving suspensions without pay and discharges.

3001.8 All notices of proposed action shall be personally served or mailed by certified mail, return receipt requested, to the last known address of the employee.

3002 *Customer Relations*

3002.1 Employees are expected to be polite, courteous, prompt, and attentive to every customer and should never regard a customer's question or concern as an interruption or annoyance. Employees must make every effort to achieve complete, accurate, and timely communications – responding promptly and courteously to all proper requests for information and to all complaints.

3002.2 Employees should not place a telephone caller on hold for an extended period, and direct incoming calls to the appropriate person and make sure the call is received. Through their conduct, employees must show their desire to assist the customers in obtaining the help they need. If an employee is unable to help a person requesting assistance, he or she should find someone who can.

3002.3 All correspondence and documents, whether to customers or others, must be neatly prepared and error-free. Attention to accuracy and detail in all paperwork demonstrates an employee's commitment to those with whom the District does business.

3002.4 When an employee encounters an uncomfortable situation that he or she does not feel capable of handling, the supervisor, Finance Manager, or General Manager should be called immediately for assistance. Employees should never argue with a customer. If a problem develops, or if a customer remains dissatisfied, the employee's supervisor should be called to assist in resolution of the issue.

3003 *Gift Acceptance Guidelines*

3003.1 An employee or his or her "family member" may not accept gifts, entertainment, or other services or benefits from, or provide to, individuals or companies doing or seeking to do business with the District, unless the transaction meets all of the following guidelines:

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- a. Is customary and gives no appearance of impropriety and does not have more than a nominal value;
- b. Does not impose any sense of obligation on either the giver or the receiver;
- c. Does not result in any kind of special or favored treatment;
- d. Cannot be viewed as extravagant, excessive, or too frequent considering all the circumstances, including the ability of the recipient to reciprocate at District expense; and
- e. Is given and received with no effort to conceal the full acts by either the giver or receiver.

3003.2 For the purpose of this section, the term “family member” is defined in the California Code of Regulations as any of the following individuals:

- Spouse, as defined in Regulation 18229.
- A “dependent child” as defined in Regulation 18229.1.
- The employee’s child (including an adoptive child or stepchild) who meets all of the following criteria:
 - Is at least 18 but no more than 23 years old and is a full-time or part-time student.
 - Has the same principal place of residence as the employee (excluding child’s temporary residence for the purpose of attending school).
 - Does not provide over one-half of his or her own support.

For more detail, go to the FPPC website at www.fppc.ca.gov and review the General Rules for Gifts and Honoraria. Also see Regulations of the Fair Political Practices Commission (FPPC), Title 2, Division 6, California Code of Regulations. § 18943. Gift to Official Through Family Member.

3003.3 For employees who file Statements of Economic Interests (Form 700s) under the District’s conflict of interest code, the gift limit is applicable only to individuals and entities that would have to be disclosed on the Form 700. For more information on Rules for Gifts, see the California Fair Political Practices Commission website at <http://www.fppc.ca.gov/learn/public-officials-and-employees-rules-/gifts-and-honoraria.html>.

3004 *Outside Employment*

3004.1 No District employee shall be permitted to accept employment in addition to, or outside of, District service if:

- a. The additional or outside employment leads to a conflict, or potential conflict of interest (see section **3015 Conflicts of Interest**) for said employee; or,

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- b. The nature of the additional or outside employment is such that it will reflect unfavorably on the District; or,
- c. The duties to be performed in the additional or outside employment are in conflict with the duties involved in District service.

3004.2 An employee who does have additional or outside employment shall not be permitted to use District records, materials, equipment, facilities, or other District resources in connection with said employment.

3004.3 An employee who does have outside employment shall notify the District in writing by completing the prescribed reporting form (**Appendix H Report of Outside Employment**), and submitting it to his or her supervisor within 30 days of employment.

3005 *Release of Confidential Information*

3005.1 Except as otherwise provided in the Freedom of Information Act, Public Records Act or other laws and regulations governing the release of public documents, no District employee shall disclose to any person (except those legally entitled to documents), documents or information of a confidential nature. Requests for information, the disclosure of which might affect the trade position, financial condition or personal affairs of the party from whom such information was received shall not be released except upon specific authority of the General Manager, upon advice of legal counsel. Except with special approval of the General Manager, the District does not sell or release mailing lists of our customers. The District may release such compilations of information or data received by the District as long as the identity of individual parties is not involved.

3005.2 To the extent permitted by law, District staff and Directors shall keep confidential the circumstances giving rise to an employee's resignation from the District.

- a. This *Employee Handbook* is itself a public record which the District must release upon request.

3006 *Political Activities*

3006.1 District Employees shall not engage in political campaign activities while on duty for the District or on District facilities or properties. District property (vehicles, bulletin boards, offices, telephones, or computers, etc.) shall not be used for political purposes by employees or others and shall remain free of political statements, propaganda, or endorsement information.

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3006.2 No officer or employee of the District and no candidate for District office shall directly or indirectly, solicit or receive any contributions whether voluntary or involuntary, for any political purpose whatsoever, from anyone in the service of the District.

3006.3 District employees shall be afforded a reasonable opportunity and time off to vote in elections as authorized under District policy section **5014, *Voting***.

3007 *Use and Responsibility of Employer Property*

3007.1 Desks, computers, and other equipment are the District's property and must be maintained according to District rules and regulations. They must be kept clean and are to be used only for work-related purposes. The District reserves the right to inspect all District property and premises to ensure compliance with its rules and regulations, without notice to the employee and at any time, and not necessarily in the employee's presence.

3007.2 The District provides tools, supplies, and facilities for the use of employees in the performance of their work. Employees who use the District's equipment must be familiar with its proper use and care and shall operate it in accordance with instructions for use. Employees shall notify their supervisor immediately of any needed maintenance for any District facility or equipment, and if they need guidance as to the proper use.

3007.3 Employees must report all accidents and damage to District equipment to their supervisor. Failure to properly use District equipment or to report accidents or damage may result in disciplinary action up to and including termination.

3007.4 No employee shall use District facilities or equipment for personal use without prior written approval of the General Manager.

3007.5 District voice mail and electronic mail (e-mail) are to be used for business purposes only. The District reserves the right to monitor or review voice mail messages and e-mail messages to ensure compliance with this rule, without notice to the employee and at any time, not necessarily in the employee's presence. Employees shall not have an expectation of privacy in District voicemail and electronic mail systems. For more electronic communication policy details, see policy **4010 *Ethics, Usage, and Security of Electronic Communications***.

3007.6 The District may periodically need to assign or change "passwords" and access codes for computers. These communication technologies and related storage media and databases are to be used only for District business and they remain the property of the District. The District reserves the right to keep a record of all passwords and codes used and the ability to override any such password system.

3007.7 Prior written authorization must be obtained before any District property may be removed from the premises.

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3007.8 For security reasons, employees should not leave personal belongings of value in the workplace. Personal items are subject to inspection and search, with or without notice, with or without the employee's prior consent. The District is not to be responsible for damage or loss of employee personal property in the workplace or in facilities.

3007.9 Terminated employees are to remove any personal items at the time they leave the District. Personal items left in the workplace are subject to disposal if not claimed within a reasonable time of an employee's termination.

3008 *Use of District Equipment*

3008.1 No District-owned equipment, autos, trucks, instruments, tools, supplies, machines or any other item, which is the property of the District, shall be used by any employee of the District while said employee is engaged in any outside employment, activity, or personal use, for compensation or otherwise, except upon prior authorization by the General Manager.

3008.2 No employee shall allow any other person to rent, borrow or use any of the items mentioned in the paragraph above for any other than a public purpose, except upon prior authorization by the General Manager. Any violation of the provisions herein contained respecting use of District property shall constitute sufficient grounds for immediate dismissal.

3009 *Housekeeping*

3009.1 All employees are expected to keep their work areas clean and organized and also assist in maintaining an overall clean work environment. Employees using common areas such as lunch rooms and restrooms or equipment are expected to keep them clean and sanitary. Employees are requested to clean up after meals and dispose of trash properly.

3010 *Drug-Free Work Place*

3010.1 In Accordance with the Drug-Free Workplace Act of 1990, the District is committed to providing a drug-free workplace for District employees and has therefore implemented the Substance Abuse Policy as set forth below.

3010.2 The unlawful manufacture, distribution, possession, or use of controlled substances is prohibited in the workplace. Such conduct is also prohibited during non-work time for on-call employees to the extent that, in the opinion of the District, it impairs an employee's ability to perform on the job or threatens the reputation or integrity of the District. The use of controlled substances is inconsistent with the behavior expected of District employees, subjects all employees and the public to unacceptable safety risks, and undermines the District's ability to operate

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effectively and efficiently. Employees violating any of these prohibitions will be subject to disciplinary action up to and including discharge. The penalty for current drug or alcohol abuse shall be termination of employment.

3010.3 Any District employee convicted of any criminal drug statute for a violation occurring in the workplace shall be terminated and shall notify the District, in writing, no later than five (5) calendar days after such conviction. The District, upon receiving such notification will notify, in writing, within ten days, of such notification to any federal agency from which it receives funds.

3010.4 Each District employee, as a condition of employment, shall agree to abide by the terms of this policy statement. The District will not discriminate against alcoholics or recovering drug addicts and will offer reasonable accommodations for such individuals.

3010.5 Any employee who has questions concerning the District's Substance Abuse Policy or wants information on the dangers of drug abuse in the workplace, or is interested in available drug counseling, rehabilitation or employee assistance programs is encouraged to discuss this matter with the General Manager or the Finance and Human Resource Manager.

Substance Abuse Policy –

3010.6 The District has a responsibility to all of its employees to provide a safe workplace and a responsibility to the public to ensure that their safety and trust in the District are protected. Therefore, the District cannot condone the following behavior by employees:

- Use of illicit drugs.
- Abuse of legal (prescription or over-the-counter) drugs or alcohol.
- Sale, purchase, transfer, use, or possession of illegal drugs or prescription drugs obtained illegally.
- Sale or transfer of employees own prescription drugs legally obtained.
- Arrival for work under the influence of legal drugs or alcohol to the extent that job performance is adversely affected.

3010.7 Testing employees for drugs and alcohol can be an effective means by which to identify abusers. The drug and alcohol-testing program is intended to supplement, not replace other means by which the use of drugs and the alcohol can be detected.

3010.8 The penalty for drug or alcohol abuse shall be termination of employment.

Procedure –

3010.9 Drug abuse testing of job applicants and employees will be performed by the following procedure:

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- a. All job applicants to whom a job offer has been made will undergo drug and alcohol abuse analysis before hiring is final.
- b. Drug and alcohol testing of employees will be conducted only under the following circumstances.
 - When an employee's supervisor has a reasonable suspicion that the employee is intoxicated or under the influence of drugs or alcohol. "Reasonable suspicion" is a belief based on articulable observations sufficient to lead a prudent supervisor to suspect that the employee is under the influence of drugs or alcohol (e.g. slurred speech, alcohol on breath, inability to walk a straight line).
 - When an employee is found in possession of suspected illicit drugs or alcohol or when suspected illicit drugs or alcohol are found in an area controlled or used exclusively by the employee.
 - Following a serious accident or an incident in which safety precautions were violated or unusually careless acts were performed.
- c. The employee or job applicant shall be informed of the underlying reasons for the order to submit to a drug and alcohol testing.
- d. Any employee refusing to submit to the drug and alcohol test will be informed that this refusal is grounds for termination. Any job applicant who refuses to submit to that testing will be informed this is a condition of employment.
- e. The General Manager or designee will perform the following:
 - Schedule an appointment for the employee and direct his or her supervisor to drive the employee to Hazel Hawkins Hospital. The supervisor will fill out the appropriate portions of a Drug Test Request Form.
 - For new applicants offered a position with the District, an appointment will be scheduled and proper forms will be completed.
- f. The Drug Test Request Form, together with all printouts of positive results and any lab reports, will be sent to the person in the medical department responsible for interviewing applicants and employees regarding test results.

Confidentiality –

3010.10 One designated person in the medical department will receive all reports of positive test results. This person will notify the General Manager about the test results.

3010.11 No laboratory reports or test results will appear in a personnel file. Information of this nature will be included in the employee's medical file. A marker will appear on the inside cover of the personnel folder to show that this information is contained in the medical file.

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Use of Results –

3010.12 The District will take action on a confirmed positive test result only after receiving a report from the medical lab. Detection of any illegal drug is grounds for immediate dismissal of an employee or withdrawal of a hiring offer. However, the employee or applicant should have every opportunity to explain the presence of any drug in his or her system and to substantiate the explanation with medical evidence.

3010.13 The presence of a drug such as phencyclidine (PCP), which is not available medically, is self-explanatory. However, the presence of drugs available by prescription, such as barbiturates and amphetamines, could have a legitimate medical explanation, so care must be exercised in the follow-up interview. However, since the legitimate use of these drugs could indicate a possible health problem, the employee or applicant's job responsibilities will be reviewed as to whether the use of these drugs poses a potential hazard to the employee, co-workers, or the general public.

3011 *Emergency Response*

3011.1 District operations involve supplying potable water and collection and pumping of wastewater for the residents of its service area. Any interruptions of these services can pose significant public health problems to the residents of the area. (*All employees shall be subject to emergency call.*)

3011.2 Employees are required to report changes in residence or phone number to the General Manager within five (5) working days.

3011.3 In order to respond to emergencies in a timely manner, all employees shall reside within an area that will allow them to arrive at District headquarters without exceeding posted speed limits, fit and ready for duty, within thirty (30) minutes of notification. Exceptions may be granted at the discretion of the General Manager.

3012 *On-Call Duty and Compensation*

3012.1 On-call duty is required for all maintenance personnel, unless exempt by the District Manager. On-call duty shall be defined as that circumstance which requires an employee assigned by the District to:

- a. Be ready to respond immediately to an emergency call for service.
- b. Be readily available at all hours by telephone or other communication equipment.
- c. Refrain from activities which might impair an employee's duties upon call.

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- d. On-call duty is normally assigned in seven (7) day increments. On-call duty starts on Thursday at 5:01 p.m. and runs to the following Thursday at 5:00 p.m.

3012.2 On-call compensation of the (7) day increment shall be \$225.00 to be paid to the employee whose name appears on the On-Call List, regardless of who is actually on-call. This information must be noted on each employee's time sheet.

3012.3 On-call compensation for weeks that include holidays shall include an additional \$50 per holiday for the following holidays: New Year's Day, Presidents Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the day following Thanksgiving Day, and Christmas Day.

3012.4 When the on-call employee is called out after normal working hours, the employee is guaranteed a two (2) hour minimum pay. The compensation is 1.5 (1 ½) times his or her normal pay per hour. On-call time starts when the person responds to the answering service call. If he or she is called out again within that two-hour period, no additional compensation will be paid until more than two (2) hours of work is accomplished. If personnel is called out again, the same rule applies.

3012.5 On-call personnel will be paid for 2.7 hours each weekend/holiday day at 1.5 (1 ½) times their normal pay per hour. If the on-call person is called during this time period, this is not considered a call-out, unless 2.7 hours is first used.

3012.6 Any deviation from the On-Call List must be reported to the Water/Wastewater Superintendent immediately so that the appropriate agencies can be notified.

3013 *Emergency Callout*

3013.1 If an employee is called out after normal working hours, they are guaranteed a two (2) hour minimum pay. The pay rate is time and a half (1.5) per hour. If they are called out again within that two (2) hour time period, no additional compensation will be paid until more than two (2) hours of work is accomplished. If personnel are called out again, the same rule applies.

3014 *Attendance / Reporting to Work*

3014.1 Regular attendance during all scheduled work hours, reporting on a timely basis, and working the entire scheduled shift is expected of all employees. District employees are expected to be punctual and regular in attendance. Any tardiness or absence causes problems for fellow employees, supervisors and impact the service to District customers. When employees are absent, others must perform their job functions.

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3014.2 Employees shall not be absent from work for any reason without making prior arrangements with their supervisor or the General Manager. If an employee, for some unavoidable reason, cannot report for work, the employee is expected to notify his or her supervisor or the General Manager within thirty minutes after the beginning of the work day of the reason for being absent. If the absence continues beyond the first day, the employee shall notify his or her supervisor or the General Manager on a daily basis unless other arrangements have been made.

3014.3 If an employee is absent because of injury or illness, the General Manager may request that the employee submit written documentation from the employee's doctor. If the employee is absent five (5) or more days because of injury or illness, the employee may be required to provide written documentation from a doctor that the employee is able to resume normal work duties before the employee will be allowed to return to work. The employee will be responsible for any charges made by the employee's doctor for this documentation. The employee's attendance record will be considered when evaluating requests for promotions, leaves of absence, and approved time off.

3014.4 In general, five (5) absences in a ninety (90)-day period, or a consistent pattern of absence, will be considered excessive, and the reasons for the absences may come under question. Tardiness or leaving early is as detrimental to the District. Tardiness on three (3) occasions within a ninety (90)-day period will be considered excessive and will carry the same weight as an absence. Other factors, like the degree of lateness, may be considered. Excessive absenteeism, inattentiveness to work, failing to start work at the designated time, or leaving early may lead to disciplinary action, including dismissal.

3014.5 An employee who is absent from work for three (3) consecutive working days, without authorization, will be considered to have abandoned the job as of the last day of active employment and will be declared to have voluntarily quit, unless the General Manager determines the absence was due to an unavoidable situation and the employee was unable to contact the District office due to circumstances beyond the employee's control.

3014.6 Employees are not allowed to take District work home without prior authorization from the General Manager.

3015 *Conflicts of Interest*

3015.1 All employees are to avoid conflicts of interest. Conflicts occur when an individual's interest interferes with his or her responsibilities at the District, or when an employee's personal relationship (e.g. with a supplier, customer, subordinate) impairs his or her ability to exercise good judgment on behalf of the District. Furthermore, employees should not accept loans, excessive entertainment or gifts, or anything constituting personal gain from a supplier, customer, or other party doing business with the District. If an employee believes he or she may be involved in any actual or potential conflict of interest, he or she should immediately disclose the relevant circumstances to a supervisor or the General Manager. If an actual conflict is determined, the District may take appropriate corrective action.

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3015.2 Employees in positions designated by the District's Conflict of Interest Code, Appendix A (policy number 6020 Conflict of Interest Code, and Resolution No. 533), must file Statements of Economic Interests (Form 700s). For more information, see the California Fair Political Practices Commission website at www.fppc.gov.

3016 *District Information and Media Contacts*

3016.1 Improper use or disclosure of District information may result in liability for employees and the District. If an employee has any doubt as to whether information should be released to anyone who does not have a clear right to that information, please refer the matter to the General Manager.

3016.2 At times, an employee may be approached for interviews or comments by the news media. If approached, employees must refrain from comment, other than to refer media questions to the General Manager. This policy enables the District to coordinate replies to the news media.

3017 *Dress Code or Personal Appearance*

3017.1 At the District, professional image is important and is maintained, in part, by the image that employees present to customers, visitors, vendors, and others in the District's business. In choosing appropriate work attire, employees should consider factors including tastefulness, anticipated requirement for public contact, the nature of the job, and working conditions.

3017.2 The District expects all employees to use good judgement and taste in matters of personal grooming and dress. Good judgment includes consideration for both the District and its constituents and customers. Attire should be in keeping with the dignity and image of a professional office. Employees should always be neat and clean in appearance, dressed in reasonably professional and conservative attire, and conduct themselves in a businesslike manner. Visible piercings must be limited to earrings. Visible tattoos that may be offensive and extreme hair styles are prohibited.

3017.3 In all cases, supervisors will assist employees to determine what is considered appropriate attire for the particular situation. The following is offered as a general guideline:

Business Casual Attire (Monday through Friday): No jeans, t-shirts, tank-tops, halter-tops, midriff-baring tops, low cut tops showing cleavage, tops with spaghetti straps, tube-tops, sweats, shorts, tennis shoes, flip flops, thong type sandals, or other informal or inappropriate attire. Exceptions will be allowed only with General Manager approval.

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

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

3017.4 Employees who are inappropriately dressed may be sent home and directed to return to work in the proper attire. Non-exempt employees will not be compensated for the time away from work. Employees who violate the District's dress code policy or grooming standards will be subject to corrective action and disciplinary action, up to and including termination.

3018 *Uniforms and Safety Shoes / Boot Allowance*

3018.1 The cost of uniforms or protective clothing, shoes, etc., that employees are required to wear shall be borne by the District.

3018.2 The District holds safety in the workplace for employees and the public as its highest priority. Employees in the classifications set forth below, shall be required to wear approved safety shoes/boots as a condition of employment during all hours worked in the field. Safety shoes should be appropriate for the type of work to be performed. Safety shoes are not required during meter reading or office work.

a. Employee Classifications Required to Wear Safety Shoes

- Assistant/Associate Engineer
- District Engineer
- Operations & Maintenance Crew Chief
- Water/Wastewater Superintendent
- Water Treatment Plant Operator
- Water/Wastewater Utility Maintenance

3018.3 The District will pay up to \$150.00 each fiscal year for safety shoe purchases per qualifying employee, either directly to the retailer or to the employee upon presentation of receipt, whichever option the District has chosen (see § 3018.4 below).

3018.4 The District has the option of authorizing reimbursements to qualifying employees upon proof of purchase; or, of arranging with retailers to supply all qualifying employees with a specific product that meets the needs and safety requirements, and bill the District for the total cost of all products purchased. If the District pays the retailer directly, any employees whose shoe or boot purchase exceeds the District approved allowance shall reimburse the District for the excess cost. Payroll deduction is available for this purpose and the excess cost can be spread over a period not to exceed two (2) months.

3018.5 Appropriate safety shoes or boots shall incorporate any or all of the following safety factors that are appropriate for employee protection, depending on the type of work performed:

- a. Non-skid sole;

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- b. Adequate ankle protection;
- c. Punctures and penetration protection;
- d. Conductive protection;
- e. Electrical hazard protection;
- f. Impact and compression protection; and
- g. Must be in compliance with General Industry Safety Orders.

3018.6 Employees required to wear approved safety shoes, who report to work without their safety shoes, shall not be permitted to work.

3018.7 All necessary repairs and associated expenses for safety shoes or boots will be the responsibility of the employee.

3018.8 When an employee for whom uniforms, clothing, shoes, etc. were purchased or reimbursed is terminated for any reason or resigns prior to completing three continuous months of service after said purchase, the employee shall refund 100% of the total cost of said items to the District; and after three months of service up to 6 months of continuous service after said purchase, the employee shall refund 50% of the total cost of said items to the District.

3019 *Employee Assistance During Response to Emergency Situations*

3019.1 Employees are to be trained to handle emergencies in the field or at District facilities as the purposes of such activities are to improve District operation and safeguard the value of District assets. Hence, employees often work under adverse conditions and under stress at times to the degree that is beneficial to the District.

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

3019.2 It is the policy of the District to provide a safe and environmentally friendly working experience. Employees may be subject to injury themselves, or receive notifications that members of their families are in need of assistance. It is the policy of the District to assist employees in these situations as much as possible to minimize the mental and emotional impacts upon them.

- a. An employee who experiences an injury on the job is to inform his or her supervisor or another management employee as soon as reasonably possible by phone or in person. In case of injury beyond first aid level, the employee is to be transported to the designated

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first aid treatment facility. The nature of the injury or incident and any actions needed to be taken shall be reported. If involving a criminal act or an equipment accident, an accident report shall be completed as soon as possible and within 24 hours.

- b. In cases where an employee’s family member is involved in an emergency situation and the employee believes that he or she must leave the job to respond, the employee shall inform his or her supervisor or another management employee immediately and before leaving the work site. If no response is required, the employee is encouraged to inform his or her supervisor to have them aware of the situation and to provide supportive assistance in an appropriate manner. An Employee Assistance Program (EAP) may be available and the employee is encouraged to contact the Human Resources Department for assistance.
- c. Expenses to the District for an EAP may be provided by the District for initial administrative services. Specific services available to the employee shall be identified and appropriate expense information made known by the EAP provider.
- d. Absences from work due to injury or emergencies of close family members may be covered by either workers’ compensation, sick leave, or the Federal FMLA regulations. The employee shall consult with the Human Resources Department as soon as practical to determine what applicable leave or laws apply to his or her situation. A doctor’s certification may be required for use of leaves and for returning to work in some cases.

3019.3 Employees, supervisors, and managers shall be provided training and information on dealing with injury, emergencies, and trauma on the job in order to prepare them for unusual situations. Such training is not to be viewed as for personal safety and security, but for handling sensitive and emergency situations until additional assistance may be obtained.

My Notes

CHAPTER 4

OPERATIONAL CONSIDERATIONS



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4001 Injury and Illness Prevention Program

4001.1 The District is committed to maintaining a safe and healthy workplace for all employees, and intends to fully comply with all laws regarding worker and workplace safety. The Injury and Illness Prevention Program (“IIPP”) shall apply to all employees of the District, and shall include the development of safety and health procedures and practices, and development of a disciplinary system to enforce compliance with established safety and health procedures and practices. The program also requires periodic safety inspections to identify, evaluate, correct and control unsafe working conditions or practices; training for all employees upon hire, upon assumption of new duties, upon acquisition of new equipment or tools, upon new legislation, and upon any other change to working conditions. *Please see a supervisor for the complete and comprehensive IIPP contained in the District’s Emergency Response Plan.*

4001.2 The District will supply adequate protective gear and instruction in its use. The District will provide a thorough investigation of all accidents, including “near misses”, in order to determine the cause and ensure that the incident does not recur.

4001.3 All unsafe conditions or hazards should be reported or corrected immediately. Once everyone involved is safe, an employee should report immediately any accident involving the employee, another employee, customer or visitor to his or her supervisor or the General Manager.

4001.4 The General Manager has the authority and is responsible for overall management and administration of the IIPP. All supervisors are responsible for carrying out the IIPP in their work areas. A copy of the IIPP shall be available from each supervisor, who can answer employee questions about the program. All employees of the District are hereby directed to give their support and cooperation to the implementation of the IIPP.

4001.5 Matters concerning occupational safety and health shall be communicated to employees by means of written documentation, staff meetings, formal and informal training and posting.

4001.6 Occupational injuries and illness will be investigated in accordance with established procedures.

4001.7 Whenever an unsafe or unhealthful condition, practice or procedure is observed, discovered or reported, the program administrator or designee will take appropriate corrective measures in a timely manner based upon the severity of the hazard, and interim protective measures taken until the hazard is corrected. Employees may not enter an imminent hazard area without appropriate protective equipment, training, and prior specific approval given by the program administrator or designee.

4001.8 The supervisor shall receive training on recognizing the safety and health hazards to which employees under their immediate direction and control may be exposed. Supervisors are responsible for seeing that those under their direction receive training on general workplace safety, and specific instructions regarding hazards unique to any job assignment.

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4001.9 The General Manager or designee shall keep records of inspections, including the name of the person(s) conducting the inspection, the unsafe conditions and work practices identified, and action taken to correct these identified unsafe conditions and work practices. The records shall be maintained for three (3) years.

4001.10 The General Manager or designee shall also keep documentation of safety and health training attended by each employee, including employee name or other identifier, training dates, type(s) of training, and training providers. This documentation shall be maintained for three (3) years.

4002 *Heat Illness Prevention Program*

4002.1 It is the policy of the District to provide a safe, healthy, and secure workplace for all employees by implementing an effective safety program. The Heat Illness Prevention Program (HIPP) applies to the control of risk of occurrence of heat illness, and applies to all outdoor places of employment and other work environments, when the environmental risk factors for heat illness are present. Any employee participating in job tasks when environmental risk factors for heat illness are present will comply with the procedures in this policy, and in the Injury and Illness Prevention Program. *Please see a supervisor for the complete and comprehensive HIPP contained in the District's Emergency Response Plan.*

4002.2 This program is to ensure the health and safety of District employees by educating its employees, supervisors, and managers about the dangers of heat illness, and implementing and enforcing procedures that reduce the risk of heat-related illnesses in the workplace.

4002.3 Definitions:

- a. **Acclimatization** means temporary adaption of the body to work in the heat that occurs gradually when a person is exposed to it. When temperatures rise suddenly, the body needs time to adapt. Acclimatization peaks in most people within four to fourteen days of regular work for at least two-hours per day in the heat.
- b. **Heat Illness** means a serious medical condition resulting from the body's inability to cope with a particular heat load, and includes heat rash, heat cramps, heat exhaustion, heat syncope, and heat stroke.
- c. **Environmental risk factors for heat illness** means working conditions that create the possibility that heat illness could occur, including air temperature, relative humidity, radiant heat from the sun and other sources, conductive heat sources such as the ground, air movement, workload severity and duration, protective clothing, and personal protective equipment worn by employees.
- d. **Personal risk factors for heat illness** means factors such as an individual's age, degree of acclimatization, health, water consumption, alcohol consumption, caffeine consumption,

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and use of prescription medications that affect the body's water retention or other physiological responses to heat.

- e. ***Preventative recovery period*** means a period of time to recover from heat exposure in order to prevent heat illness.
- f. ***Shade*** means blockage of direct sunlight. Canopies, umbrellas, and other temporary structures or devices may be used to provide shade. One indicator that blockage is sufficient is when objects do not cast a shadow in the area of blocked sunlight. **Note:** Shade is not adequate when heat in the area of shade defeats the purpose of shade, which is to allow the body to cool. For example, a vehicle sitting in the sun does not provide acceptable shade to a person inside it, unless the vehicle is running with air conditioning.

4002.4 Managers and supervisors are responsible for:

- a. Identifying all employees who are required to work outdoors or in other environments where potential heat illness could occur, and identify the supervisor of the employee.
- b. Assuring that adequate water, shade, and necessary rest breaks are available when the environmental risk factors for heat stress are present.
- c. Ensuring that all affected employees are trained on heat illness prevention.
- d. Ensuring that the requirements in this policy are followed.

4002.5 Affected employees are responsible for:

- a. Complying with the provisions of the HIPP, as described in this policy ***and*** in the comprehensive HIPP contained in the Emergency Response Plan referred to above.
- b. Ensuring that they have the appropriate amount of drinking water available at all times when the environmental risk factors for heat illness are present.
- c. Ensuring they have access to a shaded area to prevent or recover from heat-related symptoms.
- d. Reporting heat-related illness symptoms to the supervisor.

4002.6 Handling a Sick Employee:

- a. Signs and symptoms of heat illness include loss of consciousness, incoherent speech, convulsions, and a red or hot face.
- b. When an employee displays possible signs or symptoms of heat illness, a trained first aid worker or supervisor will check the sick employee, and determine whether resting in the shade and drinking cool water will suffice, or if emergency services will need to be called. Do not leave a sick worker alone in the shade, as he or she can take a turn for the worse!

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- c. When an employee displays possible signs or symptoms of heat illness and no trained first aid worker or supervisor is available at the site, call emergency service providers.
- d. Call emergency service providers immediately if an employee displays signs or symptoms of heat illness, or does not get better after drinking cool water and resting in the shade. While the ambulance is in route, initiate first aid (cool the worker, place in the shade, remove excess layers of clothing, place ice pack in the armpits and groin area, and fan the victim). Do not let a sick worker leave the site, as they can get lost or die (when not being transported by ambulance and treatment has not been started by paramedics) before reaching a hospital!
- e. If an employee displays signs or symptoms of severe heat illness, and the worksite is located more than 20-minutes away from a hospital, call emergency service providers, communicate the signs and symptoms of the victim, and request an Air Ambulance.

4002.7 Employee and supervisor training is the most important component of the District's Heat Illness Prevention Program, and shall be provided to all potentially impacted employees working where environmental risk factors for heat illnesses are present, to help reduce the risk of heat-related illness, and to assist with obtaining emergency assistance without delay.

4003 *Compensation for Meetings and Travel*

4003.1 The District recognizes that, for the benefit and in the interests of the District, it is necessary for District staff and Directors to attend meetings and to travel in order to conduct District business. All District travel must be approved in advance. The District is committed to wise and prudent use of its entrusted public funds, to conserve District resources and to keep expenses within community standards. The District is also committed to providing effective and responsive services to its constituents. This policy sets forth guidelines for travel and meeting attendance on District business, and for the reimbursement of expenses.

4003.2 All actual and necessary travel and incidental expenses shall be reimbursed upon submission of the District's Expense Report, refer to **Appendix I Expense Report**, with accompanying receipts for preapproved training and educational courses and events. The expense reimbursement form must be submitted within 30 days of the qualifying travel or expense, or the employee may be subject to disciplinary action.

- a. **Meals:** Meals shall be reimbursed at the actual cost (excluding tip not to exceed 20%), when accompanied by a receipt, up to the maximum amount allowed. The meal cost in excess of the maximum allowed will be borne by the traveler. No alcoholic beverages are allowed in the meal per diem.

- 1. Breakfast: *Fifteen dollars (\$15) maximum*

- 1. Breakfast: *Fifteen dollars (\$15) maximum*
May be claimed if a District traveler must be away from home because of District business before 6:00 a.m.

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2. **Lunch:** *Twenty dollars (\$20) maximum*

May be claimed if, because of District business, travel must commence before 11:00 a.m. and end after 2:00 p.m.

3. **Dinner:** *Thirty-five dollars (\$35) maximum*

May be claimed if a District traveler cannot return home because of District business until after 7:00 p.m.

b. **Lodging:** If lodging is in connection with a conference or educational activity, lodging costs shall not exceed the maximum group rate published by the conference or activity sponsor, provided that lodging at the group rate is available at the time of booking. If the group rate is not available, comparable lodging will be used. Government and group rates for lodging will be used whenever possible. Personal expenses such as phone calls, movie rentals, etc. are not reimbursable and will be the responsibility of the traveler.

1. District travelers are eligible to claim for lodging when travel on official District business reasonably requires an overnight stay and is at least 50 miles from the District office.

2. District travelers are eligible to claim for lodging the evening prior to an out-of-District function if the District traveler must be away from home prior to 6:00 a.m. to arrive at the beginning of the function.

3. District travelers are eligible to claim for lodging for the last evening of an out-of-District function if the District traveler would otherwise arrive at his or her home after 9:00 p.m., if he or she left at the conclusion of the function.

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

1. A District-owned vehicle will be provided for transportation whenever possible. In the event that a District vehicle is not available and the employee uses his or her personal vehicle for District business, see both policy **4004 District Vehicle Usage** and policy **4005 Personal Vehicle Usage** for additional details.

2. The most economical mode and class of transportation reasonably consistent with scheduling requirements will be used. In the event a more expensive class of transportation is used, such as air travel, the reimbursable amount will be limited to the cost of the most economical class of transportation available.

d. **Mileage:** Mileage will be reimbursed at the Internal Revenue Service (IRS) published mileage rate when a personal vehicle is authorized and utilized for travel while on District business.

e. **Cash advance:** Subject to approval of the General Manager, a cash advance of up to \$100 per day may be obtained to cover anticipated expenses prior to authorized District travel.

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An Expense Report form must be submitted within thirty (30) days of the travel. The cash advance will be deducted from the balance owed to the traveler, and any unused cash advance must be returned to the District once the activity is completed.

4003.3 All documents related to reimbursable District expenditures are public records subject to disclosure under the California Public Records Act.

4003.4 Regardless of how it may occur, misuse of public resources or falsifying expense reports in violation of this policy may result in any or all of the following:

- a. Loss of reimbursement privileges;
- b. Restitution to the District;
- c. Civil penalties for misuse of public resources;
- d. Disciplinary action up to or including termination; and
- e. Prosecution for misuse of public resources.

4003.5 This policy shall be consistent with state law (AB 1234), as from time to time. For the District's complete reimbursement policy see **Appendix J *Expense Reimbursement Policy***.

4004 *District Vehicle Usage*

4004.1 District employees are the only persons authorized to drive District vehicles.

4004.2 During working hours, trips for personal purposes will be avoided. Occasionally, stopping at a store on route to a business destination, or going to a restaurant (within close proximity of the work location) for lunch is permitted. While going to or from work, occasionally stopping to buy groceries, pick up laundry, medications, etc., is also permitted.

4004.3 Other than the foregoing uses, District vehicles will not be used for any other personal purposes without prior written approval. This means that weekend or after-hours trips to the store (regardless of how close to home), trips back to the office to retrieve forgotten personal items, or any other non-business usage will not be permitted.

4004.4 No person under eighteen (18) years of age may ride in District vehicles. Management and Administrative Employees may take a District vehicle home during off hours. Any employee driving a District vehicle must have an appropriate unexpired driver's license. Gas purchased for District vehicles must have a documented receipt listing gallons and price, and a notation of the vehicle mileage.

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4005 *Personal Vehicle Usage*

4005.1 When an employee is authorized to use his or her personal vehicle in the performance of District work, he or she shall be reimbursed for the cost of said use on the basis of total miles driven and at the rate specified in the IRS Guidelines in effect at the time of said usage.

4005.2 Use of personal vehicles shall not be authorized for the performance of District work if a suitable District vehicle is available and safely operational.

4005.3 Every attempt shall be made to coordinate work so that District vehicles are available and operational for the performance of said work.

4005.4 Proof of adequate insurance coverage for collision, personal injury, and property damage shall be required by the District of any employee using a personal vehicle in the performance of District work.

4006 *Security*

4006.1 Security is important to everyone. Employees shall not discuss the security of the District's facilities or services with any individual not employed by the District. Visitors who are at District facilities for non-business reasons are to be met in the office area and accompanied by an employee while on the premises. Only vendors and employees are allowed on District property unaccompanied.

4006.2 The following security considerations are offered to help maintain a secure workplace. Be aware of persons loitering for no apparent reason (e.g., in parking areas, walkways, entrances/exits and service areas). Employees shall report any suspicious persons or activities to a supervisor or the General Manager, and if they feel their personal safety is at risk, phone 9-1-1. Employees must secure their work area at the end of the day or when called away from a work area for an extended length of time and must not leave valuable or personal articles in or around workstations that may be accessible.

4006.3 In addition to key locked doors, the main office building is secured with a security alarm, which is to be disarmed upon arrival in the morning, and armed when exiting the building at the end of the day. Employees will be given a confidential code, not to be shared with anyone.

4006.4 The District has installed security cameras strategically around the main office building with views of the public the entrances and exits, views of the front counter, and views of the shop area and parking lots.

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4007 *Employee Property*

4007.1 The District is not responsible for any personal or non-business items or belongings brought to the District offices or facilities. Other than necessary personal items such as coats, a wallet or purse or briefcase for an employee, prior permission from a supervisor shall be received to bring and keep any personal items or vehicles at the work place.

4007.2 Each employee is provided with locking desk drawers and keys, or a locker that he or she may use to secure personal belongings. Therefore, each employee is responsible to safeguard personal items of value including wallets, purses, etc. The District does not reimburse employees for items lost or stolen at work.

4007.3 An employee's personal property, including but not limited to packages, purses, and backpacks, may be inspected upon reasonable suspicion of unauthorized possession of District property or in violation of District policy.

4007.4 Terminated employees should remove any personal items at the time they leave the District. Personal items left in the workplace by former employees are subject to disposal if not claimed at the time of the employee's termination, or within thirty (30) days after termination.

4008 *Smoking Policy*

4008.1 Smoking is prohibited within District buildings, facilities, and vehicles. Those who smoke are requested to do so outdoors at least 20 feet away from entrances, exits, or operable windows of buildings.

4008.2 Extra care should be taken when working around combustible materials, or out in the field near equipment or supplies. Personnel who smoke in the field should use extreme caution and dispose of cigarettes in a responsible and safe manner, not littering or throwing residual parts on the ground or street areas of drains, etc.

4008.3 Smoking is allowed in non-District vehicles and properties as long as it is not a safety hazard. If employees observe unsafe activity involving smoking, they should bring it to the attention of the person and attempt to gain voluntary compliance to terminate the smoking activity. If the party refuses to cooperate, the employee should inform his or her supervisor to take added action.

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4009 Use of Telephones and Cellular Phones

Purpose

4009.1 This policy establishes guidelines for the use of office telephones for personal calls, the issuance and usage of District-owned cellular telephones, and procedures for monitoring and controlling costs related to cellular telephone use in connection with District business. It also establishes guidelines for usage and reimbursement of personally-owned cellular telephones used in connection with District business.

4009.2 This policy outlines the cellular phone options supported by the District, guidelines for appropriate use, and other administrative issues relating to cellular phone reimbursement. This policy was created in order to enhance employee safety, limit District liability, and help manage costs.

Scope

4009.3 This policy applies to all employees and other persons who have or are responsible for any cellular device issued by the District or who conduct business on behalf of the District using any cellular device.

General

4009.4 No employee has a personal right to, or any rights of privacy, to any information stored or created on District cellular phones or telephones. District-owned telephone and cellular phone equipment is the property of the District and is subject to inspection by managers.

4009.5 Use of Office Telephones: Employees are entitled to use the office telephone for personal calls in emergencies. It is recognized that occasionally personal calls by office telephones and personal cell phones may have to be made or taken during scheduled working hours and such calls will be permitted. These calls must be kept to a minimum and should be interrupted immediately to handle incoming District calls or business. Long distance or toll calls may not be made on the office telephones except in emergency situations.

4009.6 Cellular Phones: Personal cellular telephones may have to be used by employees during working hours for essential personal calls. Essential personal calls are defined as calls of minimal duration and frequency that are urgent in nature and cannot be made at another time or from a different telephone. Examples of essential personal calls are calls to arrange for care of a child or other family emergency, to alert a family member of an unexpected delay due to a change in work schedule, or to arrange for transportation or service in the event of car trouble, etc. To the extent possible, personal cellular telephone usage should be confined to rest and lunch breaks, and in locations that the conversation is not disruptive to other employees or District business.

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4009.7 It is the District's policy to issue a cellular device to employees in the following positions:

- General Manager;
- Water/Wastewater Superintendent;
- Operations and Maintenance Crew Chief;
- On-Call Maintenance Staff (rotates); and
- Office Staff (remains in District office).

4009.8 The final decision on whether an employee will be issued a cellular device rests with the General Manager.

4009.9 It is also the policy of the District to reimburse certain employees for cellular telephone use on behalf of the District via an employee-owned/controlled cellular telephone at a monthly flat rate established by the Board of Directors. The monthly reimbursement will be paid to employees on their paychecks. Employees who receive the monthly reimbursement must provide the District a copy of their cell phone bill at least annually, and upon request by the District.

4009.10 Personal and District-owned cellular telephones are to be turned off or set to vibration mode during meetings, training sessions, or during work hours.

4009.11 Phones with cameras shall not be used in situations where any individual may have an expectation of privacy. This includes but is not limited to restrooms, locker rooms, training rooms, or offices wherein employees or the public may not want cameras used.

4009.12 Text messaging devices shall not be used by employees to communicate during working hours unless specifically authorized for District purposes by a supervisor or unless for an emergency situation or need.

Cellular Phones: Appropriate Use

4009.13 It is imperative that cellular devices owned by the District and used to conduct District business be used appropriately, responsibly, and ethically. The following must be observed:

- a. District-owned cellular devices are the property of the District and must be treated, used, and safeguarded as such. If an employee damages or loses a District-issued cellular phone, the employee must notify the General Manager immediately.
- b. No employee is to use a District-owned cellular phone for the purpose of illegal transactions, harassment, or obscene behavior, in accordance with other existing employee policies.
- c. Monthly itemized bills will be received by the District and reviewed by the Finance Manager.

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- d. The service minutes that are included in the monthly plan are property of the District.
- e. The employee may be asked to reimburse the District for personal calls that cause the District to exceed the “free” minutes included in the “plan” and or personal calls while traveling on District business.
- f. Employees are expected to operate District vehicles and equipment in a safe and prudent manner. District employees are prohibited from using a cellular device while operating a District-owned vehicle, unless using a hands-free device in compliance with California state law. California law also prohibits a driver from writing, sending, or reading text-based communication on an electronic wireless communications device while driving.

Reimbursement for Personally-Owned Cellular Phones

4009.14 Employees in certain positions may be reimbursed for using their own cellular telephones for District business. In order to be reimbursed, the following conditions must be met:

- a. Eligibility for cellular telephone reimbursement shall be determined by the General Manager.
- b. Reimbursement for monthly charges will be at a flat monthly rate as determined by the Board of Directors. Reimbursement for the purchase of a hands-free device, up to a maximum amount as set by the Board of Directors, may be made upon request and approval of the General Manager not more than once in a two year period. The request must include a copy of the purchase receipt. Current Board-approved cellular phone reimbursement rates can be found in **Appendix C Wage and Benefit Summary**.

4010 *Ethics, Usage, and Security of Electronic Communications*

4010.1 The District provides various forms of electronic communications resources to employees to conduct District business including, but not limited to, communication via computers, e-mail, telephone, mobile phones, smart phones, text messaging, Internet, and FAX machines. Access to the District’s electronic communication resources exist for the purpose of conducting District business and are not intended for personal use. However, limited personal use is allowed, provided it meets the following ethics, usage, and security guidelines.

4010.2 The District has established this ethics, usage, and security policy to ensure that all District employees use the computers and electronic communication resources provided to them in an ethical, legal, and appropriate manner. This policy defines acceptable and unacceptable use of the Internet, e-mail, and other electronic communications.

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4010.3 This policy also establishes the steps the District may take for inappropriate use of electronic communications. All employees must adhere to the guidelines and policies established herein. Failure to follow this policy may lead to disciplinary action, up to and including immediate termination.

- a. Employees shall not use electronic communications in an inappropriate manner. Inappropriate use of electronic communications includes, but is not limited to:
 1. Accessing Internet sites that contain pornography, exploit children, or would generally be regarded in the community as offensive, or for which there is no official business purpose to access.
 2. Participating in any profane, defamatory, harassing, illegal, discriminatory, or offensive activity or any activity that is inconsistent in any way with the District's policies (see policy **1009 Harassment** and policy **1010 Sexual Harassment**).
 3. Exploiting security weaknesses of the District's computing resources or other networks or computers outside the District.
 4. Electronic communications are to be used for District business purposes only. Employees who have completed all job tasks should seek additional work assignments. Use of electronic communications should not interfere with the timely and efficient performance of job duties. Access to electronic communications are not a benefit of employment with the District.
- b. Employees do not have any right to privacy in any District computer resources, including Internet sites visited, downloads, and e-mail messages produced, sent, or received by District computers or cellular phones, or transmitted via the District's servers and network. Employee access to the Internet and e-mail is controlled by use of a password. The existence of a password does not mean that employees should have any expectation of privacy. Employees must disclose their passwords to the District upon request, and the District will maintain a file of all passwords currently in use. The District may monitor the contents of all e-mail messages to promote the administration of the District, its business, and policies.
- c. Employee access to and use of electronic communications will be monitored frequently. Failure to follow the policy may lead to discipline, up to and including immediate termination. Disciplinary action may include the removal of Internet and e-mail access from an employee's computer or cellular phone, or termination of employment with the District.
- d. The Internet and e-mail provide means by which employees of the District may communicate with its customers (general public), vendors, and other parties that have a business relationship with the District. Messages to or from customers through the District's e-mail system may be considered part of the District's public records and should be treated as such.

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- e. Deleting an e-mail message does not necessarily mean the message cannot be retrieved from the District's computer system. For a specific period of time, the District retains backup copies of all documents, including e-mail messages produced, sent, and received on the District's computer system.
- f. E-mail and any attachments are subject to the same ethical and legal concerns and standards of good conduct as memos, letters, and other paper-based documents. E-mail can be forwarded to others, printed on paper, and is subject to possible discovery during lawsuits in which the District may be involved.
- g. Currently all District e-mail being sent is not encrypted. Unencrypted electronic mail is not a secure way of exchanging information or files. Due to the way Internet data is routed, all messages are subject to "eavesdropping." Messages may be "stolen" as they temporarily reside on host machines waiting to be routed to their destination, or they may be purposefully intercepted from the Internet during transfer to the recipient. It is possible for someone other than the intended recipient to capture, store, read, alter/or re-distribute a message. Do not transmit information in an electronic mail message that should not be written in a letter, memorandum, or document available to the public.
- h. Email, once transmitted, can be printed, forwarded, and disclosed by the receiving party without the consent of the sender. Use caution in addressing messages to ensure that messages are not inadvertently sent to the wrong person.
- i. Employees should take the necessary steps to prevent unauthorized disclosure of confidential or privileged information of the District.
- j. Use of electronic communications to send offensive messages of any kind is prohibited.
- k. Use of electronic communications for inappropriate or unauthorized advertising and promotion of the District is prohibited.
- l. When District employees communicate using electronic communications, the employee must be extremely mindful of the image being portrayed of the District.
- m. Computer viruses can become attached to executable files and program files. Receiving or downloading executable files and programs via electronic mail, external thumb drives, or the Internet without express permission of the Systems Administrator (Finance Manager) is prohibited. This includes, but is not limited to, software programs and software upgrades. This does not include e-mail or documents received via e-mail and the Internet. All downloaded files must be scanned for viruses.
- n. It is advisable for all employees of the District to remind customers of these security issues when sending confidential electronic mail or documents to the District via electronic mail.
- o. The District will not be responsible for maintaining or payment of personal Internet accounts or related software. The District's priority is to maintain the integrity and firewall

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protection of the District's network system, telephone system, modem pool, or communication server to access the Internet.

- p. E-mail that users need to retrieve from their personal Internet account must be retrieved via that User's personal Internet account. District users shall not access such personal e-mail accounts using the District's network system, telephone system, modem pool, or communication server.
- q. Employees shall only access the Internet through the District's network. Internet access through other methods (i.e. modems) will not be allowed, unless specifically authorized by the Systems Administrator (Finance Manager).
- r. Employees shall only access the Internet using the approved Internet browsers (Internet Explorer, Google Chrome, and Mozilla Firefox). Any other browser being used on a workstation will be promptly removed.
- s. Employees will respect all copyright and license agreements regarding software or publication they access or download from the Internet. The District will not condone violations of copyright laws and licenses and the employee will be personally liable for any fines or sanctions caused by the license or copyright infringement. Any software or publication, which is downloaded onto District computer resources, becomes the sole property of the District.
- t. Employees shall only download information or publications for official business purposes.
- u. Employees are to scan all downloaded materials before using or opening them on their computers to prevent the introduction of computer viruses.
- v. All list subscriptions should be for business purposes only. The employee will make sure List Servers are notified when the employee leaves the District.
- w. **Personal Use:** Generally, the District's electronic communications resources and property should be used only for business-related purposes; however, limited, occasional, or incidental use of electronic communications for personal use are permitted under the following circumstances:
 - 1. Personal use may not interfere with the productivity of the employee or his or her co-workers;
 - 2. Personal use may not involve any prohibited activity described in this policy;
 - 3. Personal use may not disrupt or delay the performance of District business;
 - 4. Personal use may not consume District resources or otherwise deplete system resources available for the District's business purposes;
 - 5. Personal use may not be used for personal employee gain or commercial ventures;

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6. Personal use may not support or advocate non-District-related business purposes; and

4010.4 All electronic storage media, data files, logs and programs used on District-owned computer or telephone equipment is the property of the District and is subject to inspection by managers.

4010.5 Retention of E-mail: General e-mail messages shall be considered not subject to retention in the ordinary course of business by the District. However, the content of some e-mail messages could be classified as a record pursuant to the guidelines established by management and to the following criteria, and as such, should be retained for a minimum period of two years:

- a. Content required by law to be retained;
- b. Content that is documentation of notice to a member of the public of an action or position taken on behalf of the District;
- c. Content that is documentation of a District policy, District regulation, or official decision made on behalf of the District;
- d. Content that is documentation of a transaction of business between the District and another party; and
- e. Employees should make themselves familiar with the provisions of the District's Records Management and Retention Policy to determine if an e-mail is required to be maintained as a printed or electronic document.

4010.6 Access of Another Person's Electronic Communications: Use of another user's name or account, without express permission of the Systems Administrator (Finance Manager), to access electronic communications is strictly prohibited. Employees may not intercept, eavesdrop on, record, read, alter, retrieve, receive, send, or use another person's electronic communications or storage without proper authorization.

4010.7 District Web Site Policies: The external (or public) District World Wide web site and all domains owned and maintained by the District represent a fundamental communication tool for providing critical District information. The goal of the collective web site(s) is to provide relevant information and resources about the District and its services and activities. The development and use of the District's web site(s) are guided by the following web site policy:

- a. The District's web site is for "official use" only. All information disseminated through the web site must be related to the District's official business activities, regulations, and policies.
- b. The California Public Records Act applies to information processed, sent, and stored on electronic communications, thereby including web site content. Confidential information should not be posted on the District's external web site. Management must approve all information that is posted on the web site.

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- c. No District employee or official may use the District's web site for campaign-related purposes. Such campaign-related purposes include, but are not limited to, the following: statements in support or opposition to any candidate or ballot measure; requests for campaign funds or references to any solicitations of campaign funds; and references to the campaign schedule or activities of any candidate. The District's official web site may not be linked to any private web site related to a candidate's campaign for elective office, but it may link directly to the home page of the election-related pages where general election and candidate information can be found.

4010.8 Social Networking: The District views social networks such as web-based discussion or conversation pages, and other forms of social networking such as Facebook, Twitter, YouTube, etc., as significant new forms of public communication. As such, the District holds all employees who engage in social networking to the same standards it holds for any public communications, particularly which involve discussion of District business. Identified below are general guidelines and examples of prohibited communications. Please note that this list contains examples only and is not intended to be, nor is it, an exhaustive list of prohibited communications. 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 or guideline exists, employees should use their professional judgment and take the most prudent action possible. Employees should consult with their manager or supervisor if uncertain.

- a. All employees have an obligation to the District to ensure that any public communication they make, including social networking communications, does not negatively impact the reputation of the District or bring disrepute in any way to the District, its Board of Directors, employees, customers, suppliers, etc.
- b. Only a select group of management employees are authorized to publicly speak on behalf of the District, per our policy **3016 District Information and Media Contacts**. Violations of this policy will result in discipline, which may include termination, depending on the severity of the situation and its impact on the District.
- c. Engaging in social networking during working hours can negatively impact productivity and work performance. Therefore, employees must regulate social networking so that it does not impact productivity or cause performance issues.
- d. Employees may not use the District's logo on posts unless given written consent by the General Manager in advance.
- e. Employees shall not provide a link to the District's website or post District material on a social media site without written permission.
- f. All District policies that regulate off-duty conduct apply to social media activity including, but not limited to, policies related to illegal harassment, code of conduct, non-competition, and protecting confidential or proprietary information. Violation of this policy may lead to discipline, up to and including termination.

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CHAPTER 5

BENEFITS



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5001 General

5001.1 Full-time employees and eligible part-time employees shall be entitled to the benefits provided by this chapter the first day of the month following employment, unless otherwise stated. Part-time employees who work 20 hours per week or greater shall be entitled only to the benefits specifically granted, and shall be applied on a pro-rata basis (based on normal hours worked per week divided by 40 hours). Part-time employees who work less than 20 hours per week and temporary employees are not eligible for the benefits described in this chapter, except as specifically noted.

5001.2 Credit to sick leave and vacation accrual benefits begin with the full-time employee's initial date of hire, and end with employee's date of termination, and will be on a pro-rata basis for any partial month of employment. Part-time or temporary employees whose normal work week is less than 40 hours shall earn sick leave and vacation accrual benefits on a pro-rata basis, based on the ratio of their normal hours worked each week divided by 40 hours.

5001.3 Nothing herein is intended to extend rights, privileges, or guarantees of employment status beyond those previously stated.

5001.4 The term "immediate family" can be broadly or narrowly construed. For the purpose of employee benefits in this *Employee Handbook*, "immediate family" will be divided into the following component parts: spouse, child, child-in-law, parent, parent-in-law, sibling, sibling-in-law, and other, and are further defined below. Any employee benefits that include an "immediate family" component will specify which family members within this definition are covered for the purpose of said benefit.

- a. The term "spouse" shall apply to an individual to whom the employee is legally married or to whom they are a registered domestic partner.
- b. The term "child" refers to a biological, adopted, or foster child, a stepchild, a legal ward, or a child for whom an employee has accepted the duties and responsibilities of raising, such as where a grandparent raises his or her grandchild.
- c. The term "child-in-law" extends child to include daughter-in-law or son-in-law.
- d. A "parent" means a biological, foster, or adoptive parent, a stepparent, or legal guardian.
- e. A "parent-in-law" extends parent to include mother-in-law, father-in-law, or grandparents.
- f. A "sibling" means a biological, adopted, or foster brother or sister, or stepsibling.
- g. A "sibling-in-law" extends sibling to include brother-in-law or sister-in-law.
- h. "Other" immediately family refers to aunts, uncles, nieces, or nephews.

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5002 Holidays

5002.1 All employees shall be entitled to observe the following paid holidays:

1. 1/2-Day New Year's Eve *1/2 day, day before New Year's Day,*
2. New Year's Day *January 1,*
3. President's Day *3rd Monday in February,*
4. Memorial Day *Last Monday in May,*
5. Independence Day *Fourth of July,*
6. Labor Day *First Monday in September,*
7. 1/2-Day Thanksgiving Day Eve *1/2 day, day before Thanksgiving Day,*
8. Thanksgiving Day *Fourth Thursday in November,*
9. Day After Thanksgiving Day *Fourth Friday in November,*
10. 1/2-Day Christmas Eve *1/2 day, day before Christmas Day,*
11. Christmas Day *December 25, and*
12. Three (3) Floating Holidays *Floating holidays are to be used at the employee's discretion. Holidays must be used in whole day increments (unless balance is less than a whole day), and are available starting July 1, and must be used before June 15 of the following year; they do not carryover to the next fiscal year.*

5002.2 All regular work shall be suspended and full-time employees shall receive eight (8) hours pay for each of the full-day holidays, and four (4) hours pay for each of the 1/2-day holidays listed above. Holiday pay for part-time employees will be based on the number of hours normally worked for the day on which the holiday falls. Temporary employees must be employed thirty (30) days before receiving holiday pay and then they will receive holiday pay according to the number of hours normally worked on the day a holiday falls.

5002.3 An employee is eligible for any paid holiday if they work both the day before and the day after said holiday. If an employee was out on authorized paid leave of absence, they are also eligible for holiday pay.

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5002.4 Whenever a holiday falls on Saturday, the preceding Friday shall be observed as the holiday. Whenever a holiday falls on Sunday, the following Monday shall be observed as the holiday.

5002.5 Any non-exempt employee working on a holiday shall, in addition to receiving pay for the holiday, be paid for the actual hours worked at their overtime rate of pay, or as otherwise specified under policy **2022 Overtime**.

5002.6 Employees on authorized unpaid leave of absence, Workers' Compensation, or medical leave at the time of the holiday observance will be ineligible for holiday pay.

5003 *Vacations*

5003.1 Vacation time accrued may be taken starting with the month following the month when it was earned.

5003.2 Paid vacations shall be accrued monthly based on the following schedule. Eligibility for the next level of days earned occurs on an employee's anniversary date, and is effective the following month.

- a. During the first five years of service, ten (10) vacation days per year, or 6.67 hours per month;
- b. Six through ten years of service, fifteen (15) vacation days per year, or 10 hours per month;
- c. Eleven through fifteen years of service, twenty (20) vacation days per year, or 13.33 hours per month;
- d. After fifteen (15) years of service, twenty-two (22) vacation days per year, or 14.67 hours per month.

5003.3 All vacation leave must be scheduled and approved in advance, and generally should be taken in the year in which it is earned. The employee shall complete the Leave of Absence Request form twenty-one (21) days prior to the leave and must have the leave approved by his or her supervisor. Vacation slots will be evaluated on the basis of projected manpower needs, seniority, and extenuating circumstances. Please refer to **Appendix E Leave of Absence Request** form. Employees must submit the completed form with their Time Sheet.

5003.4 No employee shall be allowed to accumulate more than thirty (30) days or two hundred forty (240) hours of vacation. Vacation leave earned and unused above the 240-hour limit will be forfeited, unless an exception is granted by the Board of Directors.

5003.5 Employees on authorized paid leave of absence of greater than 30 days, authorized unpaid leave of absence, Workers' Compensation, or medical leave shall not accrue vacation during the

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absence. Upon separation of employment, the District will compensate the employee for all accrued vacation time at his or her straight time rate of pay at the time of termination.

5003.6 The District will not require an employee to take vacation time in lieu of sick leave during periods of illness. However, the employee may elect to take vacation time in case of extended illness where sick leave has been fully used. The District will not consider granting a leave of absence for medical reasons until all accumulated sick leave and vacation time have been used.

5003.7 If a holiday falls on a workday during an employee's vacation period, that day shall be considered as a paid holiday and not vacation time.

5004 *Management Leave*

5004.1 Management Leave is additional paid time off that may be granted to management employees. Upon approval of the General Manager, eligible salaried management employees may be granted up to eighty (80) hours of Management Leave annually. Management Leave is awarded each July 1, and if unused by June 15 of the following year will be forfeited (i.e. is not eligible to be carried over to the next fiscal year).

5004.2 Like vacation, all management leave must be scheduled and approved in advance. The employee shall complete the Leave of Absence Form twenty-one (21) days prior to the leave and must have the leave approved by his or her supervisor. Management leave time off will be evaluated on the basis of projected manpower needs, seniority, and extenuating circumstances. Please refer to **Appendix E *Leave of Absence Request*** form. Employees must submit the completed form with their Time Sheet.

5004.3 Management Leave granted during a fiscal year that is in the employee's year of hire or termination, or if eligibility is for a partial fiscal year for any other reason, will be pro-rated for that partial fiscal year. Management Leave previously made available to an employee could be reduced, and if more time has been used by the employee than is available after pro-rating, the excess shall be charged against any unused vacation time available. If there is no vacation time available, the excess time shall be treated as unpaid leave and the employees' pay shall be reduced accordingly.

5005 *Sick Leave*

5005.1 All employee classifications are provided paid sick leave benefits. Sick leave is defined as the time an employee is absent from work due to illness, non-industrial injury, or quarantine due to exposure to a contagious disease. In addition, dentist and doctor appointments to undergo medical, dental, or optical examinations or treatment shall be subject to sick leave provided prior notice is provided to employee's supervisor.

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5005.2 Employees earn sick leave at a rate of one working day per month (8 hours) for full-time employment. For employees working less than full-time, actual accrual is pro-rated based upon the number of hours paid per month. Sick leave accrued may be taken starting with the month following the month when it was earned. There is no limit on the amount of sick leave an employee may accumulate. A record of accumulated sick leave earned and sick leave used will be maintained by the Finance and Human Resource Manager.

5005.3 It is the employee's responsibility to notify his or her supervisor as soon as possible, but no later than one-half (1/2) hour after the start of the work shift if unable to come to work due to illness or injury. If the illness lasts more than one (1) day, employees must keep their supervisor notified of their condition and estimated return to work date.

5005.4 Employees on authorized paid leave of absence of greater than 30 days, authorized unpaid leave of absence, Workers' Compensation, or medical leave will not accrue sick leave during the absence.

5005.5 Any employee, to become eligible for paid sick leave, must satisfy his or her supervisor that he or she was actually absent due to sickness or injury. Employees may be required to submit a physician's or dentist's statement or other appropriate document with their supervisor stating the cause of absence before such sick leave with pay shall be granted. The District may request a doctor's certificate clearing the employee to return to work if the illness or injury so merits. A doctor's certificate may also be required on any absence exceeding three workdays. The District may periodically evaluate an employee's ability to return to work with a physician, and with Workers' Compensation if applicable.

5005.6 When applicable, at the employee's request, the District will coordinate its sick leave benefits with Workers' Compensation benefits, Disability Insurance benefits, and Paid Family Leave benefits. If an employee receives any of the above-named benefit payments, he or she must report them to the District for proper accounting and coordination. Employees shall receive no more in total compensation from both the District and the insurer, than their regular wage. If an employee coordinates these benefits with the District's sick leave benefit, he or she will only be charged for the amount of sick leave needed to make up the difference between the regular salary and the amount paid by the insurer. Future sick leave and vacation will only accrue based on the pro-rata basis of paid leave hours used compared to total work hours if the employee had worked during the pay period.

5005.7 In the event an employee becomes ill or incapacitated longer than his or her accumulated time off (including vacation), health, dental, vision, and life insurance benefits for the employee will remain in effect as long as the terms of the benefit policy then in effect allow, not to exceed three (3) months after all leave time has been exhausted. Payment of dependent insurance premiums continue to be the responsibility of the employee. Please refer to **Appendix E Leave of Absence Request** form. Employees must submit the completed form with their Time Sheet.

5005.8 Upon separation of employment, the District will not compensate an employee for any unused accrued sick time. However, when certain conditions are met, a portion of the accrued sick

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leave benefit may be “cashed-out” yearly, and at retirement. See **Appendix K Sick Leave Conversion to Cash** for more details.

5006 *Kin Care Leave*

5006.1 Full-time and part-time employees may use accrued sick leave, up to half the time accrued per fiscal year (e.g. up to six (6) days), as kin care leave, to care for sick “immediate family” members, regardless of the seriousness of the illness.

5006.2 As it refers to Kin Care, the term “immediate family” shall be defined to include spouse, children, and parents, as defined in **5001.4 General**, subsection a., b., and d.

5006.3 In exceptional circumstances the General Manager may, at his or her discretion, grant kin care sick leave for someone other than those members included in paragraph **5006.2** above.

5006.4 Kin care leave time shall not accumulate from year to year.

5006.5 Employees must provide as much notice as possible to request kin care leave, and if the leave lasts more than one (1) day, must keep their supervisor notified. Please refer to **Appendix E Leave of Absence Request** form. The completed form must be submitted with the Time Sheet.

5007 *Bereavement Leave*

5007.1 Full-time employees are eligible to receive up to three (3) days paid leave at any one time when they are absent from work due to death of a member of their “immediate family”.

5007.2 For the purpose of Bereavement Leave, “immediate family” shall be defined to include spouse, child, child-in-law, parent, parent-in-law, sibling, sibling-in-law, and other family members as defined in **5001.4 General**, subsection a., b., c., d., e., f., g., and h.

5007.3 In exceptional circumstances the General Manager may, at his or her discretion, grant Bereavement Leave for someone other than those members listed in the paragraph **5007.2** above, and up to an additional two (2) days of paid bereavement leave.

5007.4 The employee shall provide as much notice as possible to request Bereavement Leave, and if the leave will be for more than one (1) day, must keep the supervisor notified. Please refer to **Appendix E Leave of Absence Request** form. The completed form must be submitted with the Time Sheet and the family relationship must be listed.

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5008 *Authorized Unpaid Leave*

5008.1 Except as otherwise herein provided, leaves of absence without pay that are in the best interest of the District may be granted by recommendation of the General Manager. An employee may request a leave of absence without pay for a period of up to six months.

5008.2 Requests for leaves of absence without pay shall be submitted in writing by the employee to his or her supervisor, who shall consider such requests on their individual merits and circumstances, and shall forward his or her recommendation to the General Manager for approval. If rejected, the General Manager shall submit reasons for rejection of such request to the employee. The employee may appeal the decision to the Board per policy **2034 *Grievance Procedures***.

5008.3 Such leave of absence may be taken only after all accumulated vacation time has been exhausted. If the leave of absence is for medical reasons, then all accumulated sick leave must also be exhausted before a leave of absence can be granted.

5008.4 Employees on an unpaid leave of absence shall not accrue seniority, sick leave, vacation, or be eligible for holiday benefits. They must also reimburse the District for the cost of the employees' medical, dental, and vision premiums, as well as continue to pay for any dependent insurance coverages. Please refer to **Appendix E *Leave of Absence Request*** form. The completed form must be submitted with the Time Sheet.

5008.5 Due to the District's limited work force, maintenance of job classifications for the term of an authorized leave of absence cannot be guaranteed beyond six months. Employees returning from a leave of absence will be reinstated to the first available job classification for which they are qualified.

5009 *Pregnancy Disability Leave*

5009.1 If an employee is disabled by pregnancy, childbirth, or related medical condition, she is eligible to take a pregnancy disability leave (PDL). The PDL is for any period of actual disability caused by pregnancy, childbirth, or related medical condition up to four months per pregnancy.

5009.2 The employee should advise her supervisor as soon as possible after she becomes aware that PDL will be needed. The employee should also inform her supervisor when such leave is expected to begin and how long it will likely last. The employee should make arrangements with her supervisor regarding the scheduling of any planned medical treatment or appointments in order to minimize disruption of the operations of the District.

5009.3 Upon request of an employee and recommendation of the employee's health care provider, the employee's work assignment may be modified if necessary to protect the health and safety of the employee and her child.

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5009.4 The following conditions also apply:

- a. PDL begins when ordered by the employee's health care provider. The employee must provide her supervisor with a certification from a health care provider containing:
 1. The date on which the employee became disabled due to pregnancy;
 2. The probable duration of the period or periods of disability; and
 3. A statement that, due to the disability, the employee is unable to perform one or more of the essential functions of her position without undue risk to herself, the successful completion of her pregnancy, or to other persons.
- b. Return to work from PDL will be allowed only when the employee's health care provider endorses a release that must be submitted to the employee's supervisor.
- c. The duration of the leave will be determined by the employee's health care provider, but in accordance with regulations may be for not more than 88 working days. Regular part-time employees are entitled to leave on a pro rata basis. The 88 working days of available leave includes any period of time for actual disability caused by the employee's pregnancy, childbirth, or related medical condition. This includes leave for severe morning sickness and for prenatal care.
- d. The employee will remain in paid status while using appropriate accrued leave (sick or vacation) during a PDL to satisfy any disability waiting periods or to supplement disability benefits in order to maintain the equivalent of full salary.
- e. The employee will be in non-paid status after exhaustion of appropriate accrued leave balances or at the employee's election to not use accrued leave benefits.
- f. During the period of PDL, the District will continue payment of all premiums for employee benefit plans in place at the time the leave begins. The District will also continue the employer contribution for employee benefit premiums as if the employee were not in leave status, as required by law or regulations. The employee must reimburse the District for any portion of benefits they would have paid through payroll deduction. Such reimbursement must be received by the District within 30 days of the date of the invoice or written notification. If the District does not receive the reimbursement from the employee within 30 days, the District can cancel any policies or plans for which it has not been reimbursed.

5009.5 Under most circumstances, upon submission of a medical certification that an employee is able to return to work from a PDL, an employee will be reinstated to her same position held at the time the leave began or to an equivalent position, if available. An employee returning from a PDL has no greater right to reinstatement than if the employee had been continuously employed.

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5009.6 Please refer to **Appendix E Leave of Absence Request** form. The completed form must be submitted with the Time Sheet.

5010 *Family Care and Medical Leave*

5010.1 The purpose of this policy is to clarify how the District will implement the Family Medical Leave Act of 1993 (FMLA) and the California Family Relief Act (CFRA).

5010.2 Eligibility. To be eligible for leave under the FMLA and the CFRA an employee must have: (1) been employed by the District for at least twelve (12) months, which need not be consecutive; and (2) worked for the District at least 1,250 hours in the twelve (12) months immediately preceding the commencement of leave. To apply, the employee must complete and submit their request using **Appendix G Form F. FMLA/CFRA Application**.

5010.3 For the purpose of FMLA/CFRA, “immediate family” shall be defined to include spouse, child, and parent as defined in **5001.4 General**, subsection a., b., and c. The terms son or daughter do not include individuals age 18 or over unless they are “incapable of self-care” because of a mental or physical disability that limits one or more of the “major life activities” as those terms are defined in regulations issued by the Equal Employment Opportunity Commission (EEOC) under the Americans With Disabilities Act (ADA).

5010.4 Leave Benefit.

- a. Eligible employees will be provided with up to twelve (12) weeks of unpaid leave each year to care for a newborn, adopted, or foster child or for a seriously ill child, parent, or spouse. In addition, employees who are unable to perform the functions of their position because of a serious health condition will also be entitled to 12 weeks of unpaid leave. “Serious health condition” is defined as an illness, injury, impairment, or physical or mental condition that entails: (1) inpatient care in a hospital, hospice, or residential medical care facility; or, (2) continuing treatment by a health care provider.
- b. Both District policy and employee choice shall govern whether paid time off is substituted for otherwise unpaid leave. To care for a child after birth, or placement for adoption/foster care, an employee may elect to substitute accrued paid vacation for unpaid leave. For an employee’s own serious health condition, or to care for an immediate family member (as defined in **5010.3** above) who has a serious health condition, the employee must first use accrued paid sick leave, and may also elect to substitute accrued paid vacation before taking the remainder as an unpaid leave.
- c. Employees on authorized family care leave who were previously covered by the District’s health, dental, vision, and life insurance coverage shall continue to be covered at the level and under the conditions that coverage would have been provided if the employee were continuing to work consistent with the District’s existing policy, not to exceed 12 weeks.

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Payment of dependent insurance premiums continue to be the responsibility of the employee.

- d. At the end of the family care leave, the employee will be reinstated to his or her original or equivalent position with equivalent pay, benefits, and working conditions. However, the employee will not accrue seniority or employment benefits during the leave period. The District may also require the employee to obtain medical certification that he or she is able to resume work.

5010.5 Employee Obligations.

- a. If an employee requests leave for the birth, adoption, or the foster placement of a child, or for pre-scheduled medical treatment and the need for leave is foreseeable, the employee must provide the General Manager with a written request for family care or medical leave with at least thirty (30) days advance written notice. For other events, employees must provide as much notice as possible.
- b. Employees seeking leave on account of a serious health condition must provide the General Manager with medical certification regarding their condition. The General Manager may require employees to obtain, at the District's expense, a second opinion. If the second opinion differs from the first, the General Manager may require a third opinion from a mutually-agreed upon health care provider.
- c. For most leaves, employees will not be permitted to take their leave intermittently or on a reduced-leave schedule without the General Manager's approval. However, intermittent leave or a reduced-leave schedule may, if medically necessary, be taken by the employee because of a serious health condition. An employee who seeks intermittent leave on a reduced-leave schedule because of a planned medical treatment may be required to transfer temporarily to a different position, with equivalent working conditions, that accommodates recurring periods of leave better than the employee's regular job.

5010.6 Please refer to **Appendix E Leave of Absence Request** form. The completed form must be submitted with the Time Sheet.

5011 *Workers' Compensation Leave*

5011.1 Workers' compensation insurance is paid by the District and protects employees injured while performing assigned duties on the job. All employees are covered by the District's Workers' Compensation Insurance. Employees must report any work-related injury or illness immediately to their supervisor. Work-related illness or injury will be treated in the manner prescribed by the District's Workers' Compensation Insurance carrier. This includes immediate diagnosis and treatment at a hospital or emergency room if necessary, and follow-up care with appropriate physicians.

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5011.2 If an employee is injured at work and is temporarily unable to perform his or her usual and customary work, the employee will be allowed to take an unpaid leave of absence while receiving workers' compensation benefits. Certification from a recognized medical professional confirming the necessity of the leave must be provided to the District within fourteen (14) days after the leave begins. The duration of the leave will be determined on a case-by-case basis, considering both the injured employee's medical condition and the District's business needs.

5011.3 While on Workers' Compensation leave, employees are required to provide periodic updates on their medical condition to the General Manager. Prior to returning to work, an employee must provide a written release from his or her doctor that permits a return to work and indicates any restrictions to full duty. The District may, in its discretion, provide modified or light duty work if the employee's release contains such limitation. Refer to policy **2100 Return to Work Program** for more details. If the employee has been released without limitation, the employee will be offered the same position he or she held previously, unless the job no longer exists or has been filled so that the District can operate safely and efficiently or the employment relationship has otherwise been terminated.

5011.4 The employee may elect to have Workers' Compensation benefits coordinated with the District's sick leave benefits. Sick leave would be applied on a pro-rated basis so the employee's compensation from the District equal to or less than the difference between compensation received as regular salary and the amount received as Workers' Compensation benefits, not to exceed the amount of available accrued sick leave. Similarly, the employee may elect to use any accrued paid leave time and accrued time off after the sick leave is exhausted.

5011.5 Workers' compensation leave will run concurrently with any family and medical leave. During the period of leave, the District will continue payment of all premiums for employee benefit plans in place at the time the leave begins. The District will also continue the employer contribution for employee benefit premiums, as if the employee were not on leave status, for the duration of the leave. The employee must reimburse the District for any portion of benefits they would have paid through payroll deduction. Such reimbursement must be received by the District within 30 days of the date of the invoice or written notification. If the District does not receive the reimbursement from the employee within 30 days, the District can cancel any policies or plans for which it has not been reimbursed.

5011.6 Please refer to **Appendix E Leave of Absence Request** form. The completed form must be submitted with the Time Sheet.

5012 *Catastrophic Leave*

5012.1 At the discretion of the General Manager, employees will be permitted to transfer eligible leave credits to a time bank to be used by an employee when a non-work related catastrophic illness or injury occurs.

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5012.2 An employee's job-related illness or injury subject to Workers' Compensation coverage shall not be eligible for this catastrophic leave provision.

5012.3 Definitions used in the application of this rule:

- a. Catastrophic illness or injury is defined as a non-work related illness or injury which is expected to incapacitate the employee for an extended period of time, and which creates a financial hardship because the employee has exhausted all of his or her accumulated paid leave time.
- b. Catastrophic illness or injury is further defined as a debilitating illness or injury of an employee's spouse, or legally dependent child, as defined in **5001.4 General**, subsection a. and b., that results in the employee being required to take time off from work for an extended period to care for the family member, when this creates a financial hardship because the employee has exhausted all of his or her accumulated paid leave time.
- c. A time bank is one or more hours of leave credit donated by one or more employees to another employee who has been incapacitated by a catastrophic illness or injury.
- d. Eligible leave credits include vacation only. They do not include sick leave.

5012.4 A time bank for catastrophic illness or injury may be established:

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

5012.5 If a time bank is established, any employee may, upon written notice to the Finance Manager, donate eligible leave credits to another employee under the following conditions:

- a. Any regular employee may donate accumulated vacation time to an eligible employee, however, sick leave cannot be donated.
- b. Donations must be made in increments of one regular workday (or more) from the donating employee, up to a maximum of 40 hours in a one year period.
- c. The District will assure that only credits that may be needed are transferred.
- d. The donation of paid vacation time is reversible.
- e. Employees donating paid vacation time shall do so in writing on a form developed by the General Manager.

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- f. Donations will be reflected as an hour for hour deduction from the leave balance of the donating employee.
- g. All donation transactions shall be credited effective the pay period following submittal of the form requesting the paid time donation.

5012.6 In order to receive time from the time bank, an employee must provide appropriate verification of illness or injury as determined by the District and must meet the following conditions:

- a. The employee requesting “catastrophic leave” shall submit a written request to the General Manager for review. The request must include a written statement from a licensed physician verifying the illness or injury. The General Manager shall include with the next payroll an announcement, which shall state: “*(Employee name)*” has requested *Catastrophic Leave. Employees who would like to donate a portion of accrued vacation time to another employee should contact the General Manager’s Office for a donation form.*” The General Manager or his or her designee shall implement the catastrophic leave donation and usage program in accordance with this article.
- b. The affected employee must have exhausted any accumulated paid leave time for which he or she is eligible (sick or vacation) prior to utilizing catastrophic leave.
- c. An employee who receives times through this program shall use any leave credits he or she continues to accrue on a monthly basis prior to receiving time from the time bank.
- d. The employee for whom the time bank is established will have any time which is donated to the time bank transferred to his or her account in one-hour increments for use as sick leave only. Donated credits will be reflected as an hour-for-hour addition to the leave balance of the receiving employee.
- e. The total amount of leave credits donated may not exceed an amount sufficient to insure the continuance of regular compensation.
- f. The use of donated paid vacation time given shall be up to the discretion of the General Manager and approval by the Board of Directors.
- g. Use of time from the time bank may not be used to augment benefits received due to a work-related injury or illness.

5012.7 Please refer to **Appendix E Leave of Absence Request** form. The completed form must be submitted with the Time Sheet.

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5013 Jury Duty

5013.1 This policy shall apply to all regular employees in all classifications.

5013.2 Any employee summoned for jury duty shall immediately notify his or her immediate supervisor.

5013.3 While serving on a jury, an employee will be given a paid leave of absence for the duration of said jury duty. Said leave of absence is conditional upon the employee returning to work upon dismissal each day to complete his or her remaining normal workday. It is also conditional upon the employee's conveyance to the District of any compensation received as a juror, not including any travel allowance received. Jury duty shall not be counted as hours worked for purposes of overtime calculations. Time off while serving Jury Duty should be separately accounted for on the Time Sheet.

5013.4 Please refer to **Appendix E Leave of Absence Request** form. The completed form must be submitted with the Time Sheet.

5014 Voting

5014.1 The District believes that it is the responsibility and duty of its employees to take an active role in the election process and exercise the privilege of voting in federal, state, or local governmental elections. In accordance with this philosophy, the District grants its employees advance arranged and approved time off to vote and for periods of service as an election official.

5014.2 All employees should be able to vote either before or after regularly assigned work hours. However, when this is not possible due to work schedules, managers are authorized to grant a reasonable period of time, up to two hours during the work day to vote. Time off for voting shall be taken at the beginning or end of an employee's regular work shift, whichever accommodates the most time for voting and the least time off from work. Time off for voting should be reported and coded appropriately on timekeeping records.

5014.3 Employees must provide their supervisor with at least two (2) days' notice that time off is needed. Please refer to **Appendix E Leave of Absence Request** form. The completed form must be submitted with the Time Sheet.

5015 Military Leave

5015.1 Military leave is a form of personal leave of absence subject to state and federal applicable laws and regulations. Leaves of absence and re-employment resulting from service in the U.S. Military Armed Forces or National Guard will be in accordance with state and federal laws. A

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copy of the applicable, official military orders for training or active duty must accompany an employee's request for a leave of absence.

5015.2 An employee who is assigned to a U.S. Military Armed Forces Reserve organization and is subject to active or inactive duty training will be granted leaves of absence without pay, generally for up to two (2) weeks per fiscal year unless additional time is approved by the General Manager.

5015.3 The following conditions also apply: The employee may remain in paid status while using appropriate accrued leave balances (vacation) to supplement his or her military pay to maintain the equivalent of full salary.

5015.4 Please refer to **Appendix E *Leave of Absence Request*** form. Employees must submit the completed form with their Time Sheet.

5016 *Termination During Leave of Absence*

5016.1 Employees may be replaced or terminated during a qualified leave of absence for any of the following reasons:

- a. Notice of intent to resign or demonstration of intention not to return to work is given;
- b. Employee fails to return to work within the time specified for the leave without having obtained a District-approved extension of the original leave expiration date;
- c. Employee fails to supply a doctor's certification or other requested documentation within a designated timeframe to substantiate the need for, or an extension of, a leave;
- d. Employee fails to accept his or her former position upon return, or if not available, another position for which he or she may be reasonably qualified;
- e. Employee refuses to undergo a medical evaluation by an appointed doctor at the District's expense when requested, other than based on acceptable religious reasons;
- f. Employee accepts other employment at any time during the leave of absence; or
- g. Employee's position no longer exists at the conclusion of his or her leave.

5017 *Leave for Crime Victims and Family Members*

5017.1 An employee who is a victim of a crime or is a member of a crime victim's "immediate family" shall be authorized to be absent from work in order to attend judicial proceedings related

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to that crime, subject to the District's General Manager determining that work requirements may be maintained during the absence.

5017.2 For the purpose of Leave for Crime Victims and Family Members, "immediate family" shall include spouse, child, parent, and sibling as defined in **5001.4 General**, subsection a., b., d., and f.

5017.3 "Victim" means a person against whom one of the following crimes has been committed:

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

5017.4 Prior to an employee being absent from work, the employee must provide the District with a copy of the official notice provided to the victim of each scheduled proceeding.

5017.5 An employee absent from work to attend a scheduled proceeding may elect to use accrued vacation leave, sick leave, or unpaid leave time.

5017.6 The District shall keep confidential any records regarding the employee's absence from work pursuant to this policy.

5018 *Time Off for Children - School Activities*

5018.1 California Law allows a parent or guardian to take up to a total of 40 hours of time off each calendar year (but no more than 8 hours in one month) without pay to participate in their children's activities at school (grades K through 12) or licensed day care. The absence is subject to all of the following conditions:

- a. Employees planning to take time off for school visitations must provide as much advance notice as possible and all requests must be approved by the employee's supervisor;
- b. Employees must use accrued vacation in order to receive compensation for this time off; and
- c. Employees who do not have accrued vacation time available shall take the time off without pay.

5018.2 If an employee who is the parent or guardian of a child facing suspension from school is summoned to the school to discuss the matter, the employee should alert his or her supervisor as soon as possible before leaving work. In compliance with California Labor Code Section 230.7, no discriminatory action will be taken against an employee who takes time off for this purpose.

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- a. Employees must use accrued vacation in order to receive compensation for this time off; and
- b. Employees who do not have accrued vacation time available will take the time off without pay.

5019 *Health and Welfare Benefits*

5019.1 The premium cost for employee coverage under the District’s medical, dental, and vision insurance plans is provided for full-time employees at no cost to the employee. For part-time employees who average at least twenty (20) hours per week, the District will pay a share of the premium based on the pro-rata ratio of normal hours worked to a 40-hour work week. The part-time employee will be responsible for the balance of the premium for employee insurance coverages. Medical, dental, and vision insurance is not provided to temporary employees. Employees may purchase medical, dental, and vision insurance coverage for dependents through payroll deduction.

5019.2 The District’s medical insurance is currently through CalPERS, who offers multiple plans. There are three choices of medical plans available based the Hollister zip code through CalPERS: PERS Choice, PERS Select, or PERS Care. The District includes the full premium for the PERS Choice plan in the Cafeteria Plan total (see **5019.3**).

5019.3 Full-time employees will be allotted a Cafeteria Plan total to “spend” on self-coverage for the medical, dental, and vision insurance plans, and may select and enroll in any one, two, or all three plans. Part-time employees will be allotted a total to “spend” based on their pro-rata ratio. Any balance remaining of the allotted total must be used for dependent health premiums or be deposited in a Deferred Compensation Program account. Any premiums in excess of the allotted total must be paid by the employee.

5019.4 The District pays a \$500 benefit per month to full-time employees that can be used toward the cost of any dependent insurance coverage, and if unused for dependent coverage must be deposited in the employee’s Deferred Compensation Program account. Dependent premium cost in excess of the \$500 per month allowance is at the employees’ expense. Part-time employees do not qualify for this benefit.

5019.5 Medical, dental and vision coverage shall become effective the first day of the month following the date of employment.

5019.6 The health insurance providers used, scope of coverage offered, and the portion of premiums to be paid by the District is subject to periodic review and revision by the Board of Directors.

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5020 COBRA Benefits

5020.1 On April 7, 1986, a federal law known as “COBRA” (Consolidated Omnibus Budget Reconciliation Act) was enacted, requiring that most employers sponsoring group health plans offer employees and their families the opportunity for a temporary extension of health coverage (called “continuation coverage”) at group rates in certain instances where coverage under the plan would otherwise end. Qualified individuals may be required to pay the entire premium for coverage of up to 102 percent of the cost to the plan. This overview is intended to inform employees, in a summary fashion, of their rights and obligations under the continuation coverage provisions of the law.

5020.2 Employees covered by the District’s medical insurance plan have the right to choose continuation coverage if they lose their group health coverage because of a reduction in their hours of employment or the termination of their employment (for reasons other than gross employee misconduct), transition between jobs, death, divorce, and other life events. Employees’ eligible dependents may also have the right to elect and pay for continuation coverage for a temporary period in certain circumstances where their coverage under the Plan would otherwise end.

5020.3 For employees qualify to elect COBRA coverage, the election period is 60 days (starting on the date the employee is furnished the election notice or the date he or she would lose coverage, whichever is later) to choose whether or not to elect continuation coverage.

5020.4 COBRA requires continuation coverage extend from the date of the qualifying event for a limited period of 18 or 36 months. The length of time depends on the type of qualifying event that gave rise to the COBRA rights. When the qualifying event is the covered employee’s termination of employment or reduction in hours of employment, qualified beneficiaries are entitled to 18 months of continuation coverage.

5020.5 Losing job-based coverage is also a special enrollment event in the Health Insurance Marketplace (Marketplace). The Marketplace offers “one-stop shopping” to find and compare private health insurance options. In the Marketplace, employees may be eligible for a tax credit that lowers monthly premiums and cost-sharing reductions, and can see what the premium, deductibles, and out-of-pocket costs will be before making a decision to enroll.

5020.6 Eligibility for COBRA continuation coverage won’t limit an employee’s eligibility for Marketplace coverage or for a tax credit. Employees can apply for Marketplace coverage at www.HealthCare.gov or by calling 1-800-318-2596 (TTY 1-855-889-4325). To qualify for special enrollment in a Marketplace plan, employees must select a plan within 60 days before or 60 days after losing job-based coverage.

5020.7 Any questions concerning rights under COBRA should be directed to the Human Resource Department.

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5021 *Term Life Insurance*

5021.1 The District provides \$50,000 of term-life insurance to full-time employees while employed at the District. Part-time employees do not qualify for this benefit.

5022 *CalPERS Retirement*

5022.1 The District contracts with the California Public Employees Retirement System (CalPERS) for pension benefits for its employees. The District's pension plan is part of the Miscellaneous Risk Pool of CalPERS, a cost sharing multiple-employer defined benefit pension plan administered by CalPERS.

5022.2 All full-time District employees are eligible for benefits under the plan in one of two tiers. Employees hired prior to January 1, 2013, or who are hired after December 31, 2012 and qualify as "classic" members on date of hire are in Tier 1; employees hired after December 31, 2012 and who do not qualify as "classic" members are in Tier 2. The benefit formula for employees in Tier 1 is 2.7% at 55 years of age, and the benefit formula for employees in Tier 2 is 2% at 62 years of age.

5022.3 CalPERS provides service retirement and disability benefits, annual cost-of-living adjustments, and death benefits to plan members, who must be public employees and beneficiaries. Benefits are based on years of credited service, equal to one-year of full-time employment. Tier 1 "classic" members with five years of total service are eligible to retire at age 50 with statutorily reduced benefits. The early retirement age for tier 2 members is 52. All members are eligible for non-duty disability benefits after 10 years of service. The death benefit is the Optional Settlement 2W Death Benefit.

5023 *Post-Retirement Health Benefit*

5023.1 The District offers CalPERS health plans and pays the minimum employer health premium contribution for the District's eligible retirees and eligible surviving spouses. The retiree is responsible for paying the remainder of the monthly healthcare premium. For the current minimum employer health premium, contact the Finance and Human Resource Manager.

5023.2 To be eligible for retirement medical, an active employee must be at least 50 and have a minimum of 5 years of service.

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5024 *Deferred Compensation Program*

5024.1 The 457 Deferred Compensation Program is a voluntary employee contribution retirement plan. The Deferred Compensation Program is offered to public employees to help build additional future income for either retirement or for whatever plans may be when leaving public service.

5024.2 Tax Benefit. A Deferred Compensation Program lets employees defer or set aside a portion of monthly current earnings into a self-directed investment account for retirement. Contributions are made by payroll deduction. When employees do this, they reduce the amount of taxable income immediately by postponing federal and state income taxes to the future when monies are paid or made available to employees or their beneficiaries.

5024.3 Investment Options. Employees must choose how contributions are invested and evaluate the risks involved with such investment choices. A Deferred Compensation agent is available to consult with employees on investment options.

5024.4 Contribution Limits. An employee may contribute into the plan the maximum allowed by current IRS law. The yearly deferral limits may be increased by the Secretary of the Treasury to keep up with inflation. There are two Catch-up provisions that increase the standard deferral limits for qualifying participants. The Age 50+ Catch-up provision allows people over age 50 to contribute more to their deferred compensation accounts. The Special 457(b) Catch-up provision was amended in 2006 and allows participants who have not contributed the maximum limit under IRS law in previous years to contribute an amount less than or equal to the maximum limit (essentially, up to double the maximum) in the three years prior to the individual's normal retirement age. For the current IRS Standard deferral limit, Age 50+ Catch-up limit, and the Special 457(b) Catch-up amount, contact the Finance and Human Resource Manager.

5024.5 Employer Match. The District will contribute up to 30% of employees' contributed yearly-deferred compensation with a maximum total of \$468.00 per year. The 457 Deferred Compensation Program operates on a calendar year basis. The District's contribution will be paid with the December payroll deductions.

5024.6 Withdrawals. Employees may withdraw all or part of their contributions, together with the interest earned thereupon, subject to appropriate tax withholdings, upon the occurrence of one of the following:

- Severance from (of) employment due to termination, death, retirement, or other cause;
- Permanent disability;
- Attainment of age seventy and one-half (70 ½) if still working; or
- An unforeseeable emergency (defined below).

An "unforeseeable emergency" includes any severe financial hardship to the participant caused by sudden or unexpected illness or accident of the participant or his or her dependent (as defined in

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IRC Section 152(a)), a casualty loss, or some other similar extraordinary circumstance caused by events beyond the participant's control. Home purchases and payments of college tuition do not qualify as unforeseeable emergencies under this definition. Eligible employees may withdraw all or part of their contributions plus earnings. Several withdrawal options are available, including low interest rate loans.

5024.7 Employees who choose to participate in the Deferred Compensation Program are subject to Medicare Tax on the deferred wages.

5025 *Determination of Rates of Pay*

5025.1 For all District positions, the Board of Directors shall approve the appropriate salary range. The Board of Directors may from time to time authorize changes in the rates of pay. Wage adjustments may be made considering factors such as the cost of living index and other labor market data. See **Appendix C Wage and Benefit Summary** for a table of monthly salaries by position and step.

5026 *Longevity Pay*

5026.1 In recognition of years of service to the District, qualifying employees receive additional pay as follows:

<u>Years of Service</u>	<u>Additional Longevity Pay</u>
15-19	2.0%
20-24	4.0%
25+	6.0%

5026.2 The Longevity Step is added to the employees' base pay at their current position and Step. The longevity step is guaranteed for employees once they reach the required number of years of service. Longevity pay also qualifies as reportable earnings to CalPERS for retirement pay calculations.

5027 *Educational Assistance*

5027.1 Employees are encouraged to pursue educational opportunities which are related to their present work, which will prepare them for foreseeable future opportunities within the District or for future career advancement.

5027.2 The District will reimburse full-time employees for approved courses of study on the following criteria:

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- a. Employees who receive a passing grade will be reimbursed for the entire cost of tuition and the required class materials.
- b. The total amount of reimbursement which will be paid to an employee is limited to \$500 in any fiscal year.

5027.3 To be eligible for reimbursement of course costs, the employee must receive advance approval for the class(es) from the General Manager. Requests for reimbursement should be submitted in writing. The employee will be notified of final approval, or the reasons for disapproval.

5027.4 Upon completion of the class(es), the employee is responsible for completing an Expense Report, refer to **Appendix I *Expense Report***, and attaching copies of the written approval from the General Manager, grade slip(s), and expense receipt(s). Submit the completed Expense Report to the Finance & Human Resource Manager, who will issue the reimbursement check. See **Appendix J *Expense Reimbursement Policy*** for the additional guidance.

5027.5 Where deemed necessary and appropriate, the District may pay for the Operator Training and Certification for temporary employees; the General Manager must make this determination in advance.

5027.6 Two types of classes are generally eligible for reimbursement per this policy:

- a. Classes that are related to the employee's present work assignment or that may prepare him or her for future foreseeable opportunities within the District. Such classes may be taken individually and need not be directed toward a degree or certificate.
- b. Classes that are taken as part of the requirement for a degree or certificate. In this case the employee must first have completed the equivalent of two (2) full years of college level study and have reached the equivalent of "junior" year of a four-year degree program.

5028 *Professional Licenses and Certifications*

5028.1 Some professional licenses and certifications may be required as a condition of employment in accordance with federal or State law. The Board of Directors or General Manager may specify additional licenses and certifications for each job classification as may be deemed necessary to carry out the duties and responsibilities of specific job classifications. The District will pay for the annual dues or annual fees necessary to maintain such required professional licenses and certifications.

5028.2 The District will reimburse all costs incurred by regular full-time and part-time District employees in applying for the required State Operator Certification. If the employee fails the first certification test, the District will pay for the second re-test only. Additional tests shall be paid for by the employee.

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5028.3 The District shall also pay for the annual renewal of certificates attained by employees.

5029 *Seminar Attendance & Continuing Education*

5029.1 It is the policy of the District to encourage its General Manager and staff to pursue educational opportunities related to their present work, which will prepare them for foreseeable future opportunities within the District or that will enhance and update their performance skills.

5029.2 The District will reimburse expenses incurred for tuition, travel, lodging, and meals as a result of training, educational courses, participation with professional organizations, and attendance at local, state, and national conferences associated with the interests of the District, that are preapproved by the General Manager, or in the case of the General Manager, that are preapproved by the Board.

5029.3 District administrative staff shall be responsible for making arrangements for travel, lodging, and registration for the General Manager or approved personnel attending such educational courses, state, and national seminars, workshops, and conferences. All expenses shall be submitted to the District for reimbursement in accordance with District policy **4003 Compensation for Meetings and Travel**.

5029.4 Attendance by staff at seminars, workshops, conferences, and educational courses shall require written approval by the General Manager prior to incurring any reimbursable costs, except as provided for below:

- a. Attendance by the General Manager at seminars, educational courses, workshops, and conferences sponsored by organizations to which he or she is the District's designated representative (i.e.: CSDA, ACWA, CASA, etc.) shall not require pre-approval by the Board of Directors, provided said attendance is at a preapproved organization and within the annual budget for such expenditures. The General Manager shall inform the Board of any such upcoming events prior to attending.
- b. All attendance by staff to seminars, educational courses, workshops, and conferences that are held outside the State of California shall require approval by the Board of Directors prior to incurring any reimbursable costs, with no exceptions.

5030 *Unemployment Insurance*

5030.1 Unemployment compensation insurance provides a weekly benefit for a specified period due to a qualifying condition of employment. These benefits change periodically and are established by State law. Employees do not contribute for this benefit.

APPENDICES



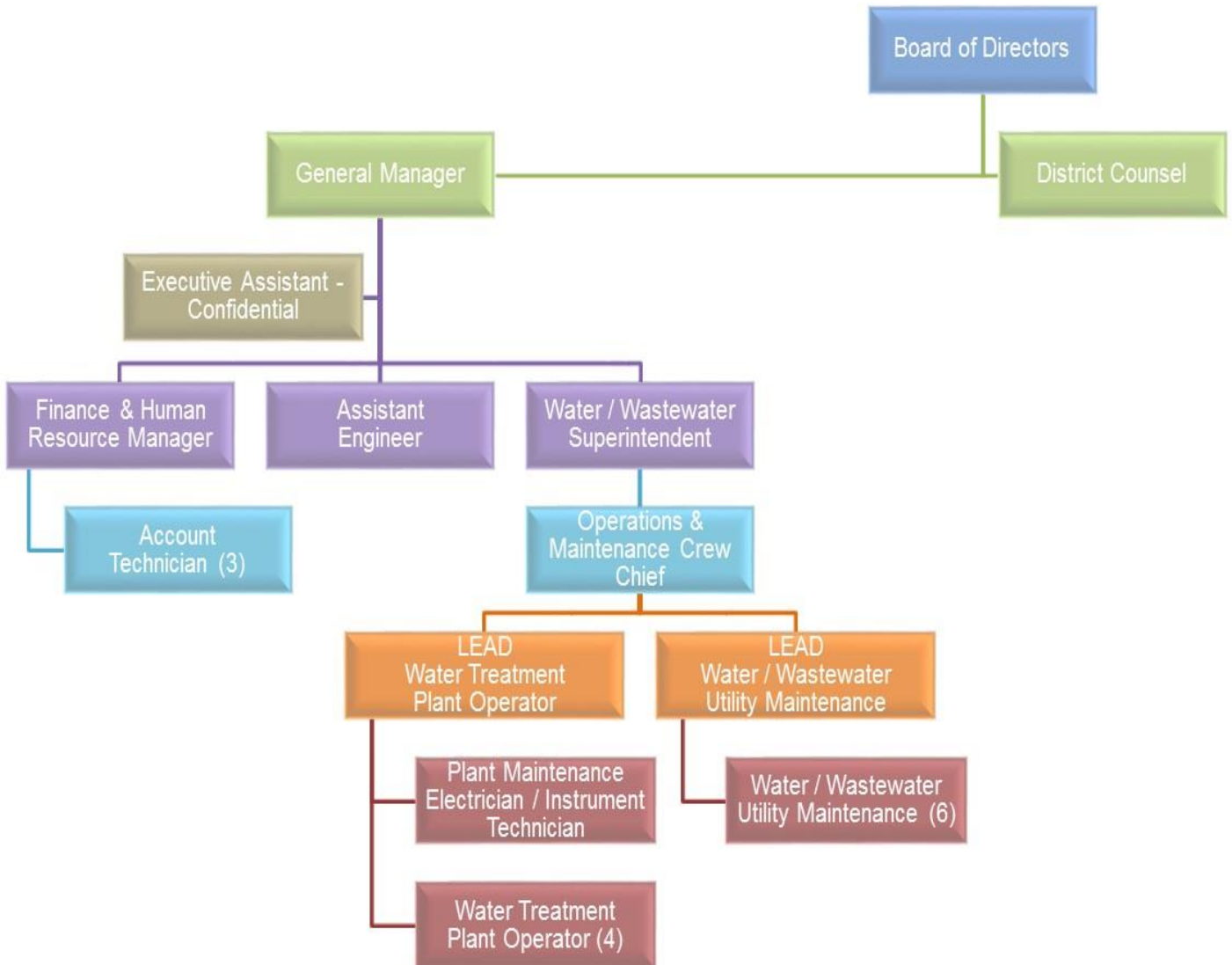
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APPENDIX A

Sunnyslope County Water District

Organization Chart

January 1, 2017



APPENDIX B

Acknowledgement of Receipt

I have received my copy of Sunnyslope County Water District's (District) *Employee Handbook* (Personnel Policies and Procedures Manual). I understand and agree that it is my responsibility to read and familiarize myself with the policies and procedures contained therein, and to ask for clarification should I not understand any provision.

Within the *Employee Handbook*, I acknowledge receipt of the sexual harassment policy **1010 Sexual Harassment**, and have read and discussed the policy with my supervisor.

Also, within the *Employee Handbook*, I acknowledge receipt of the District policy **2100 Return to Work Program** that is designed to get me back to work quickly after an injury, either on or off the job, or due to a temporary disability as a result of surgery or an illness.

I understand that except for employment at-will status, any and all policies or practices can be changed at any time by the District. The District reserves the right to change my hours, wages and working conditions at any time without written revision to the *Employee Handbook*. I understand and agree, that other than at the recommendation of the General Manager and approval by the Board of Directors of the District, no supervisor or other representative of the District has authority to enter into any agreement, express or implied, for employment for any specific period of time, or to make any agreement for employment other than at-will; only the General Manager with the approval of the Board of Directors has the authority to make any such agreement, and then only in writing. See policy **1004 Employment Status At-Will Statement**.

I also understand that although my employment is at-will, the District wants to ensure that employees feel as though they are treated fairly. Therefore, in the event that I am terminated, the District has implemented a review procedure by which I am afforded the opportunity to appeal my termination to the Board of Directors. See policy **1012 Review Hearing**.

My signature below certifies that I understand that the foregoing agreement on at-will status is the sole and entire agreement between the District and myself concerning the duration of my employment and the circumstances under which my employment may be terminated; employment may be terminated at the will of either the District or myself. The *Employee Handbook* supersedes all prior policies and procedures, including but not limited to agreements, understandings, and representations concerning my employment with the District.

Signature: _____ Date: _____
Employee

The Finance & Human Resource Manager has given a current copy of the Sunnyslope County Water District's *Employee Handbook* to the following District Employee:

_____ on this day _____, 20____

The *Acknowledgement of Receipt* will be placed into the employee's Personnel file.

Signature: _____ Date: _____
Finance & Human Resource Manager

APPENDIX C

Wage and Benefit Summary

MONTHLY SALARIES BY POSITION AND STEP ⁽¹⁾⁽²⁾:

Position	Step A	Step B	Step C	Step D	Step E	Step F	Step G	Step H	Step I	Step J
Account Technician	\$ 3,615.23	\$ 3,795.99	\$ 3,985.79	\$ 4,185.08	\$ 4,394.33	\$ 4,614.05	\$ 4,844.75	\$ 5,086.99	\$ 5,341.34	\$ 5,608.41
Assistant Engineer *	\$ 4,809.07	\$ 5,049.52	\$ 5,302.00	\$ 5,567.10	\$ 5,845.46	\$ 6,137.73	\$ 6,444.62	\$ 6,766.85		
* OR * Associate Engineer *	\$ 6,586.34	\$ 6,915.66	\$ 7,261.44	\$ 7,624.51	\$ 8,005.74	\$ 8,406.03	\$ 8,826.33	\$ 9,267.65		
Executive Assistant – Confidential *	\$ 4,751.76	\$ 4,989.35	\$ 5,238.82	\$ 5,500.76	\$ 5,775.80	\$ 6,064.59				
Finance & Human Resource Manager *	\$ 7,866.90	\$ 8,260.25	\$ 8,673.26	\$ 9,106.92	\$ 9,562.27	\$ 10,040.38				
Operations & Maint. Crew Chief *	\$ 7,421.83	\$ 7,792.92	\$ 8,182.57	\$ 8,591.70	\$ 9,021.29					
Plant Maint. Electrician/Instrument Tech.	\$ 6,110.72	\$ 6,416.26	\$ 6,737.07	\$ 7,073.92	\$ 7,427.62					
Water/Wastewater Superintendent *	\$ 8,942.11	\$ 9,389.22	\$ 9,858.68	\$ 10,351.61	\$ 10,869.19					
Water Treatment Plant Operator	\$ 6,398.96	\$ 6,718.91	\$ 7,054.86	\$ 7,407.60	\$ 7,777.98	\$ 8,166.88				
Water/Wastewater Utility Maint.	\$ 4,742.75	\$ 4,979.89	\$ 5,228.88	\$ 5,490.32	\$ 5,764.84	\$ 6,053.08	\$ 6,355.73	\$ 6,673.52	\$ 7,007.20	\$ 7,357.56

* Management position, exempt from overtime. Eligible for Management Leave.

Adopted: 9/13/16 & 10/18/16

Effective: 7/1/17

APPENDIX C

Wage and Benefit Summary

HOLIDAYS:

New Year's Day	Labor Day	½ day Before Christmas Day
Presidents' Day	½ day Before Thanksgiving Day	Christmas Day
Memorial Day	Thanksgiving Day	½ day Before New Year's Day
4 th of July	Day After Thanksgiving Day	3-Floating Days ⁽³⁾

SICK LEAVE:

Earned at a rate of one day per month, and is allowed to accumulate. When certain conditions are met yearly, and at retirement, a portion of sick leave can be converted to cash.⁽⁴⁾

VACATION:

1 to 5 years	– 10 days per year	– 6.67 hours per month (6 hrs. 40 mins.)
6 to 10 years	– 15 days per year	– 10.00 hours per month
11 to 15 years	– 20 days per year	– 13.33 hours per month (13 hrs. 20 mins.)
16 + years	– 22 days per year	– 14.67 hours per month (14 hrs. 40 mins.)

Maximum accrual of Vacation time is 240 hours.

MANAGEMENT LEAVE:

Exempt management positions are eligible for Management Leave of up to 80 hours per year, upon approval by the General Manager. Management Leave will be “front loaded” as available each July 1 and any unused leave at June 15 the following year will be lost (i.e. is not eligible to be carried over to the next year).

LONGEVITY STEPS:

In recognition of years of service to the District, Longevity Steps are awarded as follows:

<u>Years of Service</u>	<u>Additional Longevity Pay</u>
15-19	2.0%
20-24	4.0%
25+	6.0%

The Longevity Step is added to the employees base pay at their current position and Step. The longevity step is guaranteed for employees once they reach the required number of years of service.

HEALTH, DENTAL, & VISION INSURANCE:

District pays 100% of the premiums for employee only. See the Human Resource Manager for a summary of the benefits covered under each plan.

Employee may purchase dependent coverage through payroll deduction for the cost of dependent premiums. District pays a benefit of \$500 per month that can be used toward any dependent insurance coverage, and if unused for dependent coverage must be deposited in the employee's deferred compensation account. Dependent premium cost in excess of the \$500 per month allowance is at the employees' expense.

TERM LIFE INSURANCE:

\$50,000 coverage on employee only, insurance premium 100% paid by the District.

APPENDIX C

Wage and Benefit Summary

DEFERRED COMPENSATION PLAN:

Employee option to participate. District to pay 30% match on what employee contributed up to a maximum cost to District of \$468 per year. Yearly salary deferred according to current laws.

RETIREMENT BENEFIT:

Classic employees: CalPERS 2.7% @ 55; District pays employee's share, currently 8%, less employee cost sharing of 2% ⁽⁵⁾.

New PEPRAs employees: CalPERS 2% @ 62; Employee's share 6.250%.

BOOT ALLOWANCE:

\$150 per year to eligible employees per policy **3018 Uniforms and Safety Shoes / Boot Allowance** of the *Employee Handbook*.

CELLULAR PHONE REIMBURSEMENT:

Eligible employees will be reimbursed \$20 per month for business use of their personal cell phone. They are also eligible to be reimbursed up to \$30 for the purchase of a "hands-free" device upon submission of a receipt as proof of purchase up to one time in a two year period.

FOOTNOTES:

- (1) The General Manager's salary is determined by the Board of Directors, and is \$13,843.00 per month effective January 1, 2017. Directors are paid \$100 per meeting, up to a maximum of \$600 per month.
- (2) Step increases are not guaranteed, but are awarded through the combination of:
 1. Licenses held by the employee, meeting or exceeding the minimum requirements for each step;
 2. Knowledge, skills, and abilities of the employee, including critical thinking, problem solving, and leadership abilities;
 3. A supervisor's rating of the employee's knowledge, skills, and abilities compared to other employees in the same job classification;
 4. A Supervisor's recommendation for a Step increase;
 5. General Manager approval; and
 6. Positions with greater than 5 steps must have at least 18 months time between promotions to the last two (2) steps.
- (3) Floating holidays are to be used at the employee's discretion, to be used in whole day increments (unless balance is less than a whole day), and may be taken after July 1, but must be used before June 15 each year. Floating holidays do not carryover.
- (4) Under certain circumstances, sick leave can be cashed out. For eligibility requirements and details on when sick leave can be cashed out. see **Appendix K Sick Leave Conversion to Cash** policy.
- (5) Employees considered "Classic" for retirement purposes contribute toward their CalPERS retirement costs. The cost sharing contribution rate is 2%, effective July 1, 2016.

APPENDIX F

Employee Grievance

Employee's Name: _____ Date: _____

Statement of grievance, including specific reference to any law, policy, rule, regulation, or instruction deemed to be violated, misapplied, or misinterpreted:

Circumstances involved:

Decision rendered by the informal conference:

Specific remedy sought:

APPENDIX G

Return to Work Program
Form A. – Transitional Duty Assignment

Sunnyslope County Water District

3570 Airline Highway
Hollister, California 95023-9702

Phone (831) 637-4670
Fax (831) 637-1399

Employee Name: _____ Date: _____
Job Title: _____

I understand that I am temporarily assigned to: _____
My duties will include: _____

My pay rate for this work will not change from my current status.

I also understand that the following limitations have been prescribed by the Physician and I will
NOT exceed these limitations: _____

My next doctor’s appointment is scheduled for: _____

I agree to notify my supervisor of any changes in my work restrictions after each Doctor visit.

I understand all rules and policies apply to employees working in a Transitional Duty position —
either modified or alternate duty.

Signature of Employee: _____ Date: _____

Signature of Supervisor: _____ Date: _____

Signature of RTW Coordinator: _____ Date: _____

APPENDIX G

Return to Work Program Form B. – Worker’s Responsibilities

If the doctor releases an employee to full duty with no restrictions, he or she shall provide a copy of the Physician’s Report / Employee Work Status form (**Appendix G Form K. Physician’s Report / Employee Work Status**) to the RTW Coordinator and then return to full duty. If an employee is not released to return to work, then he or she shall attend each scheduled doctor’s appointment.

If the doctor releases an employee with restrictions, he or she shall provide a copy of the Physician’s Report / Employee Work Status form (**Appendix G Form K. Physician’s Report / Employee Work Status**) to the RTW Coordinator. The employee shall participate in a meeting with his or her supervisor and the RTW Coordinator, regarding how the job duties may be modified to meet the restrictions imposed by the doctor. A RTW Program - Transitional Duty Assignment form (**Appendix G Form A. Transitional Duty Assignment**) will be completed at this time and signed by the employee, the supervisor, and the RTW Coordinator.

Once the **Transitional Duty Assignment** form has been signed, it is the employee’s responsibility to:

- Work within the physical limitations set by the physician at all times and to perform only those temporary duties assigned to the employee by his or her supervisor.
- Advise the supervisor if the employee is having difficulties performing the assigned tasks.
- Tell the supervisor in advance if an employee must miss work for a medical appointment. The District requests employees make every effort to schedule medical appointments at the beginning, end, or outside of work schedules to minimize the disruption.
- On future visits to the doctor, advise the supervisor of any changes in the employee’s work restrictions. Provide the RTW Coordinator with an updated copy of the Physician’s Report / Employee Work Status form (**Appendix G Form K. Physician’s Report / Employee Work Status**).

Please note that if an employee does not report to work (transitional duty or regular work) when the doctor releases him or her, the employee may not be eligible for temporary disability payments, workers’ compensation payments, or regular wages, and could be subject to disciplinary action.

It is the District’s intention to attempt to provide transitional duty, either modified or alternative work, based on the work restrictions provided by the doctor, for all employees who are injured on or off the job, or have a temporary disability as a result of surgery or illness. This Program is considered temporary, and generally, should not exceed ninety (90) calendar days. The District encourages its employees to participate in this program as soon as it is medically appropriate to do so.

APPENDIX G

Return to Work Program Form C. – FMLA/CFRA Medical Certification

Sunnyslope County Water District

3570 Airline Highway
Hollister, California 95023-9702

Phone (831) 637-4670
Fax (831) 637-1399

(Type Employee's Name) is an employee of Sunnyslope County Water District. (Employee's First Name)'s absence from employment may qualify as leave under the Family Medical Leave Act/California Family Rights Act (FMLA/CFRA). Please complete the information below, and mail to the Return to Work (RTW) Coordinator in the enclosed envelope addressed to:

Finance & Human Resource Manager
Sunnyslope County Water District
3570 Airline Highway
Hollister, CA 95023-9702

A signed Authorization for Release of Medical Information is included in this packet.

Please note that the District's active Return to Work Program is used for employees who have an industrial injury, non-industrial injury, or a temporary disability as a result of surgery or an illness. The District encourages you to work with us and our employee to bring them back on modified duty, as soon as medically ready. A copy of the employee's job description, that includes the essential functions and the physical requirements of the job, is included for your review. We look forward to the opportunity to discuss modified duty opportunities for this employee.

=====

To be completed by the patient's health care provider:

Employee's Name: _____

Date medical condition or need for treatment occurred: _____
(*The health care provider is not to disclose the underlying diagnosis without the consent of the patient.)

Duration of medical condition or need for treatment: _____

The attached **Definitions** sheet describes what is meant by a "serious health condition" under both the federal Family and Medical Leave Act (FMLA) and the California Family Rights Act (CFRA). Does the patient qualify under any of the categories described?

Yes No

If the certification is for the serious health condition of the employee, please answer the following:

Is the employee able to perform work of any kind?
 Yes No

Is the employee able to perform the essential functions of the employee's position? Answer after reviewing the employee's job description that includes the essential functions of the employee's position, or if none provided, after discussing with the employee.
 Yes No

APPENDIX G
Return to Work Program
Form C. – FMLA/CFRA Medical Certification

Please note any restrictions to performance of the essential functions of the position: _____

If the certification is for the care of the employee’s family member, please answer the following questions:

The patient does, or will, require assistance for basic medical, hygiene, nutritional needs, safety, or transportation.

Yes No

After reviewing the employee’s signed statement (See attached), does the condition warrant the participation of the employee? (This participation may include psychological comfort and/or arranging for third-party care for the family member.)

Yes No

Estimate the period of time care will be needed or during which the employee’s presence would be beneficial:

Estimate: _____

Please answer the following question only if the employee is asking for intermittent leave or reduced schedule:

Is it medically necessary for the employee to be off work on an intermittent basis, or to work less than the employee’s normal work schedule, in order to deal with the serious health condition of the employee or family member?

Yes No

If the answer is “yes” to previous question, please indicate the estimated number of doctor’s visits, and/or estimated duration of medical treatment, either by the health care provider or another of health services, upon referral from the health care provider.

Estimate: _____

Print or Type Name of Health Care Provider

Signature of Health Care Provider

Date

Signature of Employee

Date

APPENDIX G
Return to Work Program
Form C. – FMLA/CFRA Medical Certification

Definitions
(Attach to Medical Certification)

Serious Health Condition

An illness, injury, impairment, or physical or mental condition that involves one of the following:

Hospital Care

Inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility, including any period of incapacity or subsequent treatment in connection with or consequent to such inpatient care.

Absence plus Treatment

A period of incapacity of more than three (3) consecutive calendar days (including any subsequent treatment or period of incapacity relating to the same condition), that also involves:

- Treatment two or more times by a health care provider, by a nurse or physician's assistant under direct supervision or a health care provided, or by a provider of health care services (e.g., physical therapist) under orders of, or on referral by a health care provider; or
- Treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider.

Pregnancy Disability

A period of incapacity due to pregnancy, or for prenatal care.

(*Note:* An employee's own incapacity due to pregnancy is covered as a serious health condition under FMLA but not under CFRA.)

Chronic Conditions Requiring Treatment

A chronic condition which:

- Requires periodic visits for treatment by a health care provider, or by a nurse or physician's assistant under direct supervision of a health care provider;
- Continues over an extended period of time (including recurring episodes of a single underlying condition); and
- May cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc.).

APPENDIX G

Return to Work Program

Form C. – FMLA/CFRA Medical Certification

Permanent/Long Term Conditions Requiring Supervision

A period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider. Examples include Alzheimer's, a severe stroke, or the terminal stages of a disease.

Multiple Treatments (Non-Chronic Conditions)

Any period of absence to receive multiple treatments (including any period of recovery there from) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity or more than three (3) consecutive calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.) severe arthritis (physical therapy), kidney disease (dialysis).

APPENDIX G

Return to Work Program Form D. – FMLA/CFRA Conditional Leave

Sunnyslope County Water District

3570 Airline Highway
Hollister, California 95023-9702

Phone (831) 637-4670
Fax (831) 637-1399

Date

Employee Name

RE: Conditional Family and Medical Leave

Dear Name:

Thank you for providing me information on your upcoming leave. The reason for your absence may qualify under state and federal law as family and medical leave. You may be entitled to up to twelve (12) weeks of family and medical leave in a 12-month period. Effective _____, we are placing you on Family Leave pending receipt of certification from your physician. Failure to provide the required medical certification within 15 days will result in denial of leave.

___*Name*___, your attendance records indicate you have ___#___ hours of sick leave and ___#___ hours of vacation as of ___*date*___. Since the District is placing you on Family Leave status pending confirmation from your doctor, you will be entitled to use any accrued sick leave and vacation leave to apply towards the 12 weeks of Family Leave. Any other time off (up to 12 weeks) will be unpaid. We understand some of your leave will be intermittent and this will be calculated accordingly. Please work with your supervisor regarding flexibility of work hours during this time.

Enclosed is a Medical Certification Form you should have your physician complete and return to my attention. You should also sign the Authorization for Release of Medical Information, and provide this to your physician. Please remember that you must provide the District with a medical release to return to work form (fitness for duty) from your doctor, or certification from your doctor of continued disability. I will be happy to provide appropriate disability paperwork if you will be out longer than _____.

Should you fail to return to work at the end of the approved Family Leave, or fail to provide continued medical certification as needed (not to exceed twelve weeks in a 12-month period), the District will neither guarantee reinstatement to your prior position, nor the availability of a job upon your return.

Please call me if I can help with anything or answer any questions.

Sincerely,

General Manager

APPENDIX G

Return to Work Program

Form E. – FMLA/CFRA During Workers' Compensation Leave

Sunnyslope County Water District

3570 Airline Highway
Hollister, California 95023-9702

Phone (831) 637-4670
Fax (831) 637-1399

Date

Employee Name

RE: FMLA/CFRA during Workers' Compensation Leave

Dear Name:

We have received information that indicates you are absent from work due to a work-related injury/illness (workers' compensation) that qualifies you for leave under state and federal law as Family Leave. Effective the date of this notice, the District is placing you on Family Leave. Please note that state and federal family leave run concurrently. You are entitled to up to twelve (12) weeks of Family Leave in a 12-month period.

According to information received, you should be able to return to work on _____. If you are unable to return to work at that time, you must contact _____ at _____(phone).

District policy allows use of paid sick or vacation leave during Family Leave. You currently have _____ hours of accrued sick leave and _____ hours of accrued vacation. The sick and vacation time may be paid out beginning on your first day of absence. Please let me know your preference. Workers' compensation will cover your costs related to treatment of your work-related injury as well as provide you with partial wage replacement.

Please contact me if you have any questions.

Sincerely,

General Manager

APPENDIX G

Return to Work Program Form F. – FMLA/CFRA Application

Sunnyslope County Water District

3570 Airline Highway
Hollister, California 95023-9702

Phone (831) 637-4670
Fax (831) 637-1399

(To Be Completed by Employee Requesting Leave)

Employee Name: _____ Date: _____

Reason for leave:

- Medical – self
- Medical – immediate family member _____ *insert name and relationship* (defined at **5010.3**)
- Birth/adoption of child
- Caring for Military service member

Expected date leave begins: _____

Expected date leave ends: _____

Leave will be:

- Continuous
- Intermittent: please explain _____

During the leave, I can be reached at:

Address

Home Phone

Cell Phone

Other Phone

I understand that during the leave, whether the leave is paid or unpaid, I will not continue to accrue additional sick or vacation leave time. Please refer to the Vacation, Sick Leave, and Leave of Absence Policies included in the District's *Employee Handbook* for further information.

I also understand that I am required to provide timely medical certifications for my leave, and notify the District representative of details and provide additional medical certification, should it be necessary to extend the leave.

Please refer to policy **5010 Family Care and Medical Leave**, included in the District's *Employee Handbook* for further information.

Employee Signature

Date

General Manager

Date

APPENDIX G
Return to Work Program
Form G. – FMLA/CFRA Checklist

- District has an updated FMLA/CFRA policy published.
- Employee is eligible: 12 months and 1,250 hours.
- Employee can request leave of absence for his or her own serious health condition, or care for dependent child, spouse, or parent; a qualifying emergency relating to active military service of parent, child, or spouse; or where the employee is a parent, child, spouse, or next of kin of a covered service member in US Armed Forces (26 week entitlement for this).
- Employee requests leave (30 days advance notice) if possible.
- Employer responds within 5 days in writing. Provides necessary paperwork.
- Employer gives FMLA/CFRA Notice.
- Employer receives Medical Certification within 15 days of request.
- Employer responds with approval or denial (in writing).
- Employee provides Return to Work Form (fitness for duty).
- Employee returned to work:
 - Without restrictions.
 - With restrictions/accommodations.
- Employer continues payment for other types of disability leave. If yes, employee must be paid.
- Employer policy may allow use of accrued sick leave and/or vacation, pay accordingly.
- Employee can request intermittent leave.

Best Practice: *When an employee is absent more than three days, the District will consider whether there is an FMLA/CFRA issue, before taking any action. The specific situation will be discussed with the employee to make a determination.*

APPENDIX G

Return to Work Program

Form H. – Letter to Medical Provider Regarding Return to Work Program

Sunnyslope County Water District

3570 Airline Highway
Hollister, California 95023-9702

Phone (831) 637-4670
Fax (831) 637-1399

Date

Medical Provider
Address
City, State, Zip Code

Dear (Doctor's Name):

Sunnyslope County Water District is committed to the return to work of its employees, whether due to an industrial injury/illness or non-workers' compensation injury/illness. The District will provide restricted and alternative job opportunities to allow for healing on the job, in line with your medical restrictions.

Injured/ill employees will be returned to transitional duty assignments, which will not aggravate or stress the injured body part. This should prevent long-term temporary disability with absences from work, and lessen the loss of productivity for both the employer and employee.

We request that you complete the attached Physician's Report / Employee Work Status form, after each visit. At the time an injured or ill worker comes to your office for the first time, you will receive a copy of their specific Job Description. The Job Description should help to clarify the physical requirements of their position. Once I receive your restrictions, I will discuss with our Return-To-Work (RTW) Team, what temporary modifications can be made to the employee's current job, or what alternate duty positions may be available. I may need to clarify some things with you regarding the restrictions and the temporary positions the District has available.

This Program has been created as a benefit to District employees from a financial and employment standpoint. If you have any questions regarding a certain aspect of the program or tasks on the list, please contact me immediately.

Thank you in advance for your support and cooperation.

Sincerely,

RTW Coordinator

Enclosure:
Physician's Report / Employee Work Status form

APPENDIX G

Return to Work Program

Form I. – Authorization for Release of Medical Information

Sunnyslope County Water District

**3570 Airline Highway
Hollister, California 95023-9702**

**Phone (831) 637-4670
Fax (831) 637-1399**

I, _____, hereby authorize _____
(physician/practitioner), to release the information on the FMLA/CFRA Medical Certification
form, which is attached. This information will be provided to Sunnyslope County Water District
for the purpose of determining the eligibility of _____ (employee) for
family/medical leave, as provide by state and federal law.

This authorization is valid for _____ (amount of time) from the date of
my signature below.

I, _____ (employee) understand that I have a right to receive a copy
of this authorization for the release of medical information.

Type or Print name of Patient or Legal Representative of Patient

Signature of Patient or Legal Representative of Patient

Date

APPENDIX G

Return to Work Program Form J. – FMLA/CFRA Approval Letter

Sunnyslope County Water District

3570 Airline Highway
Hollister, California 95023-9702

Phone (831) 637-4670
Fax (831) 637-1399

Date

Name

Address

City, State Zip

Re: FMLA/CFRA Approval

Dear _____:

I am in receipt of the FMLA/CFRA Medical Certification from your doctor indicating the need for _____ (time period) of recovery and/or restricted duty following your surgery. The reason for your absence qualifies under state and federal law as family and medical leave and is approved. Effective _____, we are placing you on family and medical leave, running concurrently with your disability leave if needed. You are entitled to take up to _____ of unpaid family and medical leave in a 12-month period.

During your family and medical leave, the first 10 days of your absence will be used as sick leave, and your elimination period before disability will begin, as needed. We will continue payment of your benefits on the same basis as when not on leave during this period.

It is important that you remain in touch with _____ regarding your leave status. Please remember that you must provide me with a medical release to return to work (fitness for duty) from your doctor, which can be on the Physician's Report / Employee Work Status form.

Please work with _____ regarding modified duty that may be available for you during your recovery. We all wish you a safe and healthy time off and look forward to your full return to work!

Sincerely,

RTW Coordinator

c:

APPENDIX G

Return to Work Program

Form K. – PHYSICIAN’S REPORT / EMPLOYEE WORK STATUS

Physician: Please fax a copy of the completed form to employer

EMPLOYEE NAME: _____

EMPLOYER NAME: Sunnyslope County Water District

FAX: (831) 637-1399

INJURY OR ILLNESS WAS: WORK RELATED NOT WORK RELATED UNDETERMINED

MEDICATION: Please list any medications prescribed for use during working hours that may affect alertness or ability to respond to an emergency:

PHYSICAL THERAPY AT: _____

PHYSICAL THERAPY FREQUENCY: _____ DURATION: _____

RETURN TO WORK REGULAR DUTY ____/____/____ (Date)

RETURN TO WORK RESTRICTED WORK ____/____/____ (Date) TO: ____/____/____ (Date)

EMPLOYEE CAN:

	NEVER	OCCASIONAL	FREQUENT	CONTINUOUS
0 To 10#	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11 To 25#	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
26 To 35#	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
36 To 50#	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Reach Above Shoulder	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Push/Pull	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Squat/Kneel/Stoop	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bending	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Can Use Left/Right Hand for	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Simple Grasping	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Firm Grasping	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fine Manipulation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Torqueing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

KEY

OCCASIONAL:
UP TO 33%

FREQUENT:
34% TO 66%

CONTINUOUS:
67% TO 100%

WORK HOURS: _____ FULL SHIFT _____ PARTIAL SHIFT OR _____ HRS/DAY (RESTRICTED)

NO. OF HOURS PER DAY: _____ SITTING _____ STANDING _____ WALKING

MODIFICATIONS APPLY TO: _____ WORK _____ HOME _____ LEISURE

THIS PATIENT’S EMPLOYER HAS A “RETURN-TO-WORK PROGRAM” AND IS COMMITTED TO PROVIDING WORK WITHIN ANY RESTRICTIONS

UNABLE TO WORK FROM: ____/____/____ (Date) TO: ____/____/____ (Date)

ADDITIONAL COMMENTS: _____

RETURN TO CLINIC ON: ____/____/____ (Date)

REFERRAL TO: _____

PHYSICIAN’S SIGNATURE: _____ DATE: _____

PRINT NAME: _____ CLINIC: _____

ADDRESS: _____ CITY: _____

PHONE: _____ FAX: _____ E-MAIL: _____

APPENDIX H
Report of Outside Employment

Sunnyslope County Water District

3570 Airline Highway
Hollister, California 95023-9702

Phone (831) 637-4670
Fax (831) 637-1399

Date: _____

From: Employee Name: _____

Job Title: _____

To: Supervisor Name: _____

Per District policy **3004.3 *Outside Employment***, I am reporting that I have accepted outside employment at (please include company name and address): _____

My duties include (if available, you may attach a job description and write "See Attached" here):

My hours of work at my outside employment are: _____

Employee Signature

Date

=====

Accepted By:

(To Be Filed in Employee's Personnel File)

General Manager

Date

APPENDIX J

Expense Reimbursement Policy

Sunnyslope County Water District

8150: Expense Reimbursement

8150.1 District directors or employees shall be reimbursed for “Out-of-Pocket” expenses (see policy section **8100.4**, in *Purchasing Policy*) incurred in the performance of his or her duties for items or services appropriately relating to District business and for expenses while traveling on approved District business. This policy applies to all employees and members of the Board of Directors and is intended to result in no personal gain or loss to a director or employee.

8150.2 Reimbursement requests will be submitted on a form approved by the General Manager. Included on the reimbursement form will be an explanation of the District-related purpose for the expenditures, and receipts evidencing each expense shall be attached. Appropriate reimbursement forms include:

- a. **Petty Cash Slip:** Reimbursement of District business related expenses totaling under \$100.
- b. **Expense Report:** Reimbursement of expenses totaling over \$100, for “Out-of-Pocket” expenses and all travel related expenses while on approved district business.

8150.3 The Finance Manager or the General Manager will review and approve reimbursement requests. The General Manager reserves the right to final approval for all travel expenses.

- a. Reimbursement requests by the Finance Manager will be reviewed and approved by the General Manager.
- b. Reimbursement requests by the General Manager will be reviewed and approved by the Finance Manager.

8150.4 All expenses must be reasonable and necessary; directors and employees are encouraged to exercise prudence in all expenditures.

- a. **Meal expenses** will be paid or reimbursed when attending a work-related function away from the District office.
 1. The maximum meal per diem allowed per day (excluding tip not to exceed 20%) is as follows:
 - a. **Breakfast** may be claimed if District traveler must be away from home because of District business before 6:00 a.m., not to exceed \$15.
 - b. **Lunch** may be claimed if, because of District business, travel must commence before 11:00 a.m. and end after 2:00 p.m., not to exceed \$20.

APPENDIX J

Expense Reimbursement Policy

- c. Dinner may be claimed if a District traveler cannot return home because of District business until after 7:00 p.m., not to exceed \$35.
2. Expenses incurred above the maximum amount allowed will be charged to the employee.
3. No alcoholic beverages are allowed in the meal per diem.
- b. **Personal expenses** such as phone calls, movie rentals, etc. are not reimbursable and will be the responsibility of the employee.
- c. A **District owned vehicle** will be provided for transportation whenever possible. In the event that a District vehicle is not available and the employee uses his or her **personal vehicle** for District business, the employee will provide the District with verification of personal vehicle insurance. Mileage on personal vehicles shall be reimbursed at the current published Internal Revenue Service mileage rate.
- d. The most economical mode and class of transportation reasonably consistent with scheduling requirements will be used. In the event a more expensive class of transportation is used, such as **air travel**, the reimbursable amount will be limited to the cost of the most economical class of transportation available.
- e. Expenditures for **lodging** will be moderate and reasonable and eligible for reimbursement as follows:
 1. District travelers are eligible to claim for lodging when travel on official District business reasonably requires an overnight stay and is at least 50 miles from the District office.
 2. District travelers are eligible to claim for lodging the evening prior to an out-of-District function if the District traveler must be away from home prior to 6:00 a.m. to arrive at the beginning of the function.
 3. District travelers are eligible to claim for lodging for the last evening of an out-of-District function if the District traveler would otherwise arrive at his or her home after 9:00 p.m., if he/she left at the conclusion of the function.
- f. A **travel advance** of up to \$100 per day may be obtained prior to authorized District travel. The cash advance is for the convenience of the director or employee, and is an advance against actual costs incurred. Upon completion of travel, an Expense Report must be submitted and accompanied by receipts for all expenditures. The cash advance will be deducted from the balance owed to the director or employee on the Expense Report.

APPENDIX J

Expense Reimbursement Policy

Policy Approved:	July 14, 2011
Policy Amended:	September 11, 2013
Policy Amended:	October 21, 2014
Policy Amended:	September 15, 2015
	Date

FORMS:

PETTY CASH

NUMH-H	DATE
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DESCRIPTION OF ITEM/SERVICE PURCHASED	AMOUNT	
CHARGE TO ACCOUNT	TOTAL	

Received By _____ Approved By _____
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APPENDIX K

Sick Leave Conversion to Cash

Sunnyslope County Water District (District) employees may not cash-out or be compensated for any of the first 240 hours of sick leave accrued.

Any current employee having completed 10 years of continuous service with the District, and having an unused sick leave accrual balance exceeding 500 hours, may, at their option, “cash-out” up to a maximum of 96 hours (12 days) of unused sick leave annually as long as the “cashed-out” hours do not diminish the unused sick leave accrual balance to an amount of less than 500 hours.

Compensation for unused, accrued sick leave will be made at the employee’s rate of pay at the time of “cash-out”. Request for payment of unused sick leave as described herein, shall be made in writing to the payroll clerk by November 10th of each year.

Payments of “cashed-out” unused sick leave will be paid on payday dated November 30th of each year. An employee may have the option to contribute “cashed-out” unused sick leave to his or her Deferred Compensation account (depending upon previous contributions, and not to cause the employee’s annual contributions to exceed the annual amount allowed by law) or toward the employee’s monthly share of health, dental or vision benefit.

Any current employee having completed 10 years continuous service with the District and who retires under the California Public Employees Retirement System will be compensated for 25% of accrued, unused sick leave in excess of 240 hours at the employee’s hourly rate of pay at the time of retirement from District service.

Sick Leave compensation payment for unused sick leave is not to be used to determine employee’s “average monthly compensation” or “same rate of pay”.

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