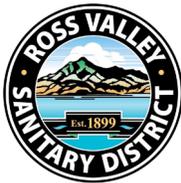


# **ADMINISTRATIVE AND PERSONNEL POLICY BOOK**

**ADOPTED BY THE BOARD OF DIRECTORS ON  
OCTOBER 20, 2021**





# ROSS VALLEY SANITARY DISTRICT

2960 Kerner Blvd., San Rafael, CA 94901

[www.rvsd.org](http://www.rvsd.org)

Welcome!

This Administrative and Personnel Policy Book has been prepared to communicate various aspects of employment with the Ross Valley Sanitary District (“RVSD” or “District”) to our employees.

RVSD is a special enterprise district that has been serving the public since it was organized under the California Health and Safety Code in 1899 and provides wastewater collection and conveyance services to the residents and businesses in the Ross Valley. The service area includes Fairfax, San Anselmo, Ross, Larkspur, and surrounding unincorporated areas of Marin County.

As an employee of RVSD, you are an important member of a team effort. We hope that you will find your position with our organization rewarding, challenging and productive. Because our success depends upon the dedication of our employees, we are highly selective in choosing new members for our team. We look to you to contribute to the success of RVSD. At the same time, we are committed to providing all employees with challenge, recognition, and benefits, as we achieve our organizational mission and goals.

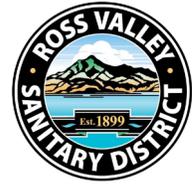
In these pages, we have tried to give specific answers to most of the employment questions we receive from our employees. You may have other questions, which are not answered here. If you have any questions, do not hesitate to ask them. We are aware of the many different needs our employees may have and are eager to help you meet them.

Again, welcome to the team! We wish you every success in your work with Ross Valley Sanitary District.

Sincere regards,

General Manager





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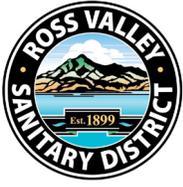
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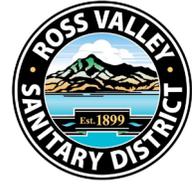
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### OUR MISSION

Our mission is to provide our customers with high quality wastewater collection service, through a system that has no avoidable sanitary sewer overflows, at the lowest sustainable cost, and to protect public health and the environment.

### OUR VALUES

We strive to conduct our daily activities in a way that reflects pride, efficiency, professionalism, and competence with a team oriented and supportive approach. Individually and as a team we hold and practice the following core values:

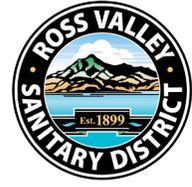
- Being fiscally responsible
- Protecting our natural resources
- Developing solutions that work today and for future generations
- Providing excellent quality service and creating quality work product
- Collaborating with each other and our stakeholders
- Being industry leaders
- Supporting efficiency and alignment with the mission of the Ross Valley Sanitary District through our resources and work

The attainment of our mission and values and the successes we have been able to achieve as a District depend on the creativity and dedication of our employees. The services provided by our organization depend on your dedication and cooperation. We encourage you to share your ideas and your suggestions.



## SECTION 1: LEGAL AND ADMINISTRATIVE





## POLICY

This Administrative and Personnel Policy Book contains the administrative and human resources policies, practices, guidelines and procedures that the Ross Valley Sanitary District (RVSD) has in effect at the time of publication. All employees should read, understand, and comply with all provisions of this Policy Book. It describes many of the responsibilities of an employee and outlines the programs developed by RVSD to benefit employees. One of our objectives as an employer is to provide a work environment that is conducive to both personal and professional growth while delivering high quality wastewater collection service to the public.

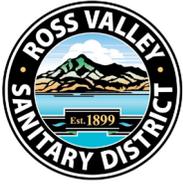
All previously issued human resources, personnel or administrative handbooks, manuals and/or policy statements are superseded by this Policy Book. This Policy Book applies to all District employees, represented and unrepresented. Pursuant to the Meyers-Milias-Brown Act (MMBA) Government Code sections 3504, 3504.5 and 3505, the District agrees to meet and confer in good faith regarding matters within the scope of representation as applicable to represented employees of the District. Where an applicable Memorandum of Understanding (MOU) specifically conflicts with a policy, the MOU provision governs. Where an individual employment contract specifically conflicts with a policy contained herein, the contract shall govern.

RVSD reserves the right to revise, modify, delete or add to any and all policies, procedures, work rules or benefits stated in this Policy Book or in any other District document. Any changes must be in writing and must be signed by the General Manager of RVSD or authorized designee. Any such written changes to this Policy Book will be generally distributed so that supervisors and employees will be aware of the new or revised policies or procedures. No oral statements or representations can in any way change or alter the provisions of this Policy Book.

The policies and practices set out in this Policy Book or in any other administrative or personnel document, including benefit plan descriptions, are not intended to imply a contractual relationship, nor are they intended to create a promise or representation of continued employment for any employee.

Reference to RVSD throughout this Policy Book refers to the organization, Ross Valley Sanitary District, and its staff. It is intended that wherever reference is made in this Policy Book to decisions and/or recommendations being made or actions taken by RVSD, those decisions and/or recommendations are being made by the General Manager or authorized designee. This Policy Book will specifically reference RVSD's Board of Directors when decisions and/or recommendations are referred to that level.

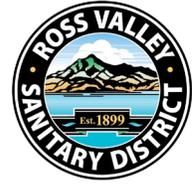
Amendments to these policies and practices may be made and updated pages may be distributed from time to time.



## POLICY 101 - INTRODUCTION/RIGHT TO REVISE

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Employees are responsible for familiarizing themselves with the contents of this Policy Book. Employees are responsible for acknowledging that the Policy Book has been read and its contents understood by signing an acknowledgement form which will be filed with the office of the Administrative Services Manager.



### POLICY

Ross Valley Sanitary District (RVSD) is an equal opportunity employer and is committed to maintaining a work environment free from unlawful discrimination and/or harassment for all its current and prospective employees as well as persons providing services pursuant to a contract.

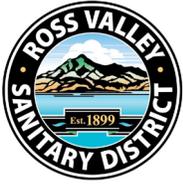
RVSD makes employment decisions based on merit. It is our goal to have the best qualified person in every position. RVSD policy prohibits unlawful discrimination on the basis of race, color, creed, gender (including gender identity and gender expression), religion (all aspects of religious beliefs, observance or practice, including religious dress or grooming practices), marital status, registered domestic partnership status, age (40 and over), national origin or ancestry, physical or mental disability (the term disabled or disability will be construed to apply to those individuals covered by Title 2 California Administrative Code, §7293.6(c) et seq. and 42 U.S. Code §12102 and the regulations as defined pursuant to that section), medical condition (including cancer, or a record or history of cancer, and genetic characteristics), sex (including pregnancy, childbirth, breast feeding, or related medical conditions), genetic information, military or veteran status, sexual orientation (including homosexuality, bisexuality, or heterosexuality), or any other consideration made unlawful by Federal, State or local laws. It also prohibits unlawful discrimination based on the perception that anyone has any of those characteristics or is associated with a person who has or is perceived as having any of those characteristics. Discrimination can also include failing to reasonably accommodate religious practices or qualified individuals with disabilities where the accommodation does not pose an undue hardship.

All such discrimination is unlawful.

RVSD is committed to complying with all applicable laws providing equal employment opportunities. This commitment applies to all persons involved in the operations of the District and prohibits unlawful discrimination by any employee of the District, including supervisors and co-workers. RVSD considers the attainment of equal employment a major District objective and is committed to providing equal employment opportunities to all qualified persons and applicants.

RVSD will not discriminate with respect to recruitment, hiring, training, promotion, transfer, discipline, termination, and other terms and conditions of employment. All other personnel actions or programs such as compensation, benefits, transfers, layoffs, recalls, District-sponsored training, education, tuition assistance, social and recreational programs will be administered in a non-discriminatory manner. All employment decisions will be consistent with the principle of equal employment opportunity.

The District endeavors to recruit qualified individuals from appropriate sources that represent all segments of the community. Selection and advancement are determined based on relative ability, knowledge, and skills after a fair competitive process.



## POLICY 102: EQUAL OPPORTUNITY EMPLOYMENT

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The District is committed to a policy and practice of complying with the Americans with Disabilities Act to ensure equal employment opportunity and non-discrimination for all qualified persons with disabilities in all terms, conditions and privileges of employment. Reasonable accommodation is available to all employees and applicants, including work site accessibility.

Qualified individuals with disabilities are entitled to equal pay and other forms of compensation as well as equal treatment and reasonable accommodation in job assignments. Employment decisions are based on the merits of the situation in accordance with defined criteria, not the disability of the individual.

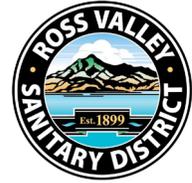
### COMPLAINT PROCEDURE

An employee or applicant who believes that he or she has been subjected to any form of unlawful discrimination should submit a written complaint to their supervisor, department head or General Manager. The complaint should be specific and should include the names of the individuals involved and the names of any witnesses. If the employee needs assistance with his or her complaint, or if he or she prefers to make a complaint in person, he or she should contact the General Manager.

RVSD management will immediately undertake an effective, thorough and objective investigation and attempt to resolve the situation. If the District determines that unlawful discrimination has occurred, effective remedial action will be taken commensurate with the severity of the offense. Appropriate action also will be taken to deter any future discrimination. The District will not retaliate against any employee or applicant for filing a complaint and will not knowingly permit retaliation by management or other employees.

# POLICY 103: PREVENTION OF HARASSMENT, DISCRIMINATION, AND RETALIATION

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## STATEMENT OF PURPOSE AND INTENT

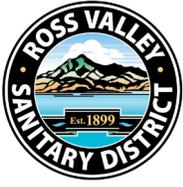
Ross Valley Sanitary District (the District) is committed to providing a work environment that is free of harassment, discrimination, and retaliation in employment. This policy provides an organizational action plan and workplace conduct guidelines to maintain such an environment; further defines what is meant by these terms; provides avenues for reporting discrimination, harassment, and retaliation, and provides a procedure for investigation and resolution of employee complaints. The District encourages all employees, applicants, volunteers, unpaid interns and contractors to report any conduct that is believed to violate this policy as soon as possible.

## POLICY

Harassment or discrimination on the basis of an individual's protected classification is unlawful and will not be tolerated. "Protected classification" includes race, religion (including all aspects of religious belief, such as grooming practices and religious dress), color, sex (including pregnancy and breastfeeding), gender, gender identity (including transgender), gender expression, national origin, ancestry, citizenship status, disability, medical condition, genetic characteristics or information, marital status, age (40 and over), sexual orientation (including homosexuality, bisexuality, or heterosexuality), military or veteran status, or membership in any other legally protected category. This Policy prohibits discrimination, harassment, or retaliation because: 1) of an individual's protected classification; 2) the perception that an individual has a protected classification; or 3) the individual associates with a person who has or is perceived to have a protected classification. This prohibition against harassment and discrimination applies to the treatment of employees, applicants, unpaid interns or volunteers by a supervisor, management employee, elected or appointed official, co-worker, member of the public, or contractor.

Appropriate remedial measures, including disciplinary action, up to and including termination, will be instituted if prohibited behavior is found.

Any retaliation against a person for filing a complaint or participating in the complaint resolution process is prohibited. Individuals found to be retaliating in violation of this policy will be subject to disciplinary action, up to and including termination.



## POLICY 103: PREVENTION OF HARASSMENT, DISCRIMINATION, AND RETALIATION

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### DEFINING HARASSMENT, DISCRIMINATION, AND RETALIATION

#### HARASSMENT

- Harassment can take many forms and includes, but is not limited to, the following conduct:
- Speech or verbal conduct, such as slurs, jokes, stories, statements, epithets, derogatory comments, unwanted sexual advances or invitations, or inappropriate comments on appearance (including dress or physical features).
- Visual acts or conduct, such as derogatory posters, cartoons, drawings, or gestures.
- Physical acts, such as offensive touching, assault, or any physical interference with normal work or movement when directed at an individual.
- Threats or unwanted sexual advances, requests for sexual favors, and other acts of a sexual nature where rejection of the conduct is used as the basis for employment decisions, offers of job benefits in return for sexual favors, or where the conduct is intended to or does unreasonably interfere with an individual's work performance or create an intimidating, hostile, or offensive working environment.

#### GUIDELINES FOR IDENTIFYING UNLAWFUL HARASSMENT

Harassment includes any conduct taken because of the recipient's protected category, which would be unwelcome to an individual of a protected category. Protected categories include: race, religion (including all aspects of religious belief, such as grooming practices and religious dress), color, sex (including pregnancy and breastfeeding), gender, gender identity (including transgender), gender expression, national origin, ancestry, citizenship status, disability, medical condition, genetic characteristics or information, marital status, age, sexual orientation (including homosexuality, bisexuality, or heterosexuality), military or veteran status, and any other characteristic protected by the Federal or State employment discrimination laws.

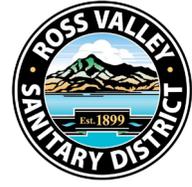
The appearance of "voluntary consent" by the recipient may not be genuine. Harassment may still be occurring. There are many reasons why a recipient might appear to consent.

Harassment can evolve over time. Just because no one objects to the behavior at the moment does not mean that the joke, gesture, picture, physical contact, or comment is welcome. Small, isolated incidents may be tolerated up to a point but may still be considered prohibited harassment. The fact that no one has yet complained about conduct should not be viewed as an indication that the conduct is appropriate. This does not preclude someone from complaining if the conduct is repeated in the future.

Consensual visual, verbal, or physical conduct by two employees may be offensive to a third party and can constitute harassment of that third party.

# POLICY 103: PREVENTION OF HARASSMENT, DISCRIMINATION, AND RETALIATION

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Conduct can be considered harassment even if the individual in violation of this policy has no intent to be harassing. Even well-intentioned conduct can violate this policy if the conduct is directed at, or implicates a protected classification, and if an individual would find it offensive (e.g., gifts, over-attention, endearing nicknames, hugs).

## OTHER FORMS OF HARASSMENT

Unlawful harassment is unwelcome or offensive conduct with the purpose or effect of unreasonably interfering with an individual's work performance, or which creates an intimidating, hostile, or offensive working environment that is motivated by or directed to an employee on the basis of a protected category.

## DISCRIMINATION

This policy prohibits treating an individual inequitably because of the individual's protected category, actual or perceived; because the individual associates with a person who is member of a protected classification, actual or perceived; or because the individual participates in a protected activity, as defined in this policy.

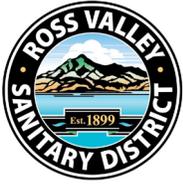
## RETALIATION

Retaliation is defined as any adverse treatment of an applicant, employee, or contractor that occurs because that person has engaged in protected activity.

"Adverse treatment" may include but is not limited to disciplinary action, counseling, taking sides because an individual has reported harassment or discrimination; spreading rumors about a complainant or about someone who supports or assists the complainant; shunning or avoiding an individual who reports harassment or discrimination; or making real or implied threats of intimidation to prevent or deter an individual from reporting harassment or discrimination.

"Protected activity" includes making a request for an accommodation for a disability; making a request for accommodation for religious beliefs; making a complaint under this policy; opposing violations of this policy; or participating in an investigation under this policy.

The District strictly prohibits retaliation against any person by another employee or by the District for using this complaint procedure, reporting harassment, or for filing, testifying, assisting or participating in any manner in any investigation, proceeding or hearing conducted by the District or a governmental enforcement agency. Prohibited retaliation includes, but is not limited to, termination, demotion, suspension, failure to hire or consider for hire, failure to give equal consideration in making employment decisions, failure to make employment recommendations impartially, adversely affecting working conditions or otherwise denying any employment benefit to the person participating in an investigation.



## POLICY 103: PREVENTION OF HARASSMENT, DISCRIMINATION, AND RETALIATION

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### ROSS VALLEY SANITARY DISTRICT REPORTING PROCESS – MAKING A COMPLAINT

Any employee, job applicant, unpaid intern, volunteer, or contractor who believes he or she has been subjected to unlawful discrimination, retaliation, or harassment should promptly report it orally or in writing to their supervisor, manager, the Administrative Services Manager, or the General Manager if the complaint is regarding the Administrative Services Manager. In the event an employee does not feel comfortable reporting to one of the identified individuals herein, employee may also report this information to the President of the Board of Directors.

### SUPERVISORS MUST REPORT

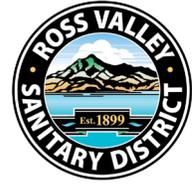
Any supervisor who receives a complaint of unlawful harassment, discrimination or retaliation, or who observes or otherwise learns about conduct that may be in violation of this policy must immediately notify the Administrative Services Manager who will investigate all such claims.-If the Administrative Services Manager is accused, or a witness to the events at issue, the supervisor may also report this information to the General Manager or the President of the Board of Directors.

Upon receiving notification of a harassment, discrimination, or retaliation complaint, the District will:

- Provide the complainant with a timely response indicating that the complaint has been received and that a fair, timely, and thorough investigation will be conducted.
- Authorize and supervise a timely, impartial, fair, and thorough investigation of the complaint by qualified personnel. The investigation will be documented and tracked for reasonable progress. The investigation will afford all parties with appropriate due process, which may include interviews with the complainant, the accused harasser, and other persons, as applicable, who have relevant knowledge concerning the allegations in the complaint.
- Review the factual information gathered through the investigation to reach a reasonable conclusion as to whether the alleged conduct constitutes harassment, discrimination, or retaliation in violation of this policy, giving consideration to all factual information, the totality of the circumstances, including the nature of the conduct, and the context in which the alleged incidents occurred.
- Timely report a summary of the determination as to whether harassment, discrimination, or retaliation in violation of this policy occurred to the appropriate persons.
- Take prompt, appropriate, and effective remedial action if conduct in violation of this policy occurred. The remedial action will be commensurate with the severity of the offense. Disciplinary action for a violation of this policy can range from verbal or written warnings up to and including termination. If discipline or sanctions are imposed, the level of discipline or sanctions will not be communicated to the complainant.

## POLICY 103: PREVENTION OF HARASSMENT, DISCRIMINATION, AND RETALIATION

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- Take reasonable steps to protect the complainant from further harassment, discrimination, or retaliation.

### REPORTING AND PERFORMANCE STANDARDS

An employee, job applicant, unpaid intern, volunteer, or contractor who makes a complaint of discrimination, harassment, or retaliation is in no manner excused or exempt from the same performance standards to which others performing the same or similar work are held accountable. All job performance standards will be maintained throughout and following any investigation undertaken as a result of this procedure. Failure to meet job-related performance standards may be grounds for disciplinary action.

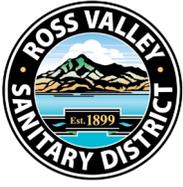
### OTHER WAYS TO REPORT

This policy is not intended to prohibit employees, job applicants, unpaid interns, volunteers, or contractors from filing complaints with the California Department of Fair Employment and Housing or the Federal Equal Employment Opportunity Commission or to prevent them from pursuing other available judicial remedies. These agencies may be contacted as follows:

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

### NO RETALIATION

The District is committed to ensuring that all employees, applicants, and contractors who feel comfortable in raising issues regarding conduct that violate this policy without fear of retaliation. The District's commitment also is intended to encourage District employees to cooperate in investigations of alleged violations of this policy by providing honest, truthful, and complete information without fear of retaliation. Employees, applicants and contractors should feel free to report claims of unlawful harassment without fear of retaliation of any kind. The District strictly prohibits any form of retaliation against any applicant, employee or contractor who, in good faith, makes a complaint, raises a concern, provides information, or otherwise assists in an investigation, complaint or proceeding related to any alleged violation of this policy.



## POLICY 103: PREVENTION OF HARASSMENT, DISCRIMINATION, AND RETALIATION

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### CONFIDENTIALITY

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

### TRAINING

The District will provide training to all employees who act in a supervisory capacity, and to elected officials in accordance with applicable Federal or State law. Training will be presented by knowledgeable trainers or educators with expertise in the prevention of harassment, discrimination, and retaliation and will include:

- At least two hours of classroom or other effective interactive training and education regarding sexual harassment and the negative effects of abusive conduct. All managers and supervisors must receive at least two hours of training every two years. New supervisors must receive training within six months of being hired or promoted and then at least every two years thereafter.
- Training, which includes information and practical guidance regarding Federal and State statutory provisions concerning the prohibition against, and the prevention and correction of, sexual harassment.
- The remedies available to victims of sexual harassment in employment.
- Practical examples aimed at instructing supervisors in the prevention of harassment, discrimination, and retaliation.

All non-supervisory employees must participate in at least one hour of classroom or other effective interactive training and education regarding sexual harassment within six months of assuming their positions.

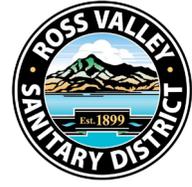
### RESPONSIBILITIES

#### MANAGERS AND SUPERVISORS ARE RESPONSIBLE TO:

- Inform employees of this policy.
- Model appropriate behavior.
- Take all steps necessary to prevent harassment, discrimination, or retaliation from occurring.
- Receive complaints in a fair and professional manner, document complaints received, and escalate complaints per this policy so that they may be investigated and resolved.

## POLICY 103: PREVENTION OF HARASSMENT, DISCRIMINATION, AND RETALIATION

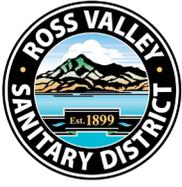
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- Monitor the work environment and take immediate appropriate action to stop potential violations, such as removing inappropriate pictures or correcting inappropriate language.
- Follow up with those who have complained to ensure that the behavior has stopped and that there are no reprisals.
- Report potential violations of this policy of which a manager or supervisor becomes aware, regardless of whether a complaint has been submitted, to the Administrative Services Manager.

### **EACH EMPLOYEE OR CONTRACTOR IS RESPONSIBLE FOR:**

- Treating all employees and contractors with respect and consideration.
- Modeling appropriate behavior in support of District policies.
- Fully cooperating with the District's investigations by responding fully and truthfully to all questions posed during the investigation.
- Reporting any act, he or she believes in good faith constitutes harassment, discrimination, or retaliation as defined in this policy and as provided in this Policy Book.



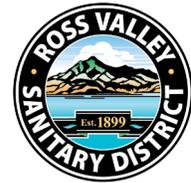
## POLICY 104: EMPLOYMENT ELIGIBILITY REQUIREMENTS

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### POLICY

In accordance with The Immigration and Control Act of 1986, RVSD hires only those individuals who are lawfully authorized to work in the United States.

Each new and rehired employee must provide original and current documentation to RVSD to establish employment eligibility and identification. A completed **Employment Eligibility Verification Form I-9** must be furnished to RVSD no later than the first day of employment. Providing false documentation or making false statements on the verification form will be grounds for immediate termination.



### POLICY

It is the policy of RVSD to conduct business in accordance with the letter and the spirit of the law and in conformity with ethical standards.

Accordingly, employees must not take any action on behalf of RVSD that violates any law or regulation. Employees must adhere to high moral and ethical standards in the conduct of business. Employees may not engage in activity that results in a conflict of interest with RVSD or that reflects unfavorably on its integrity. Employees violating these standards are subject to disciplinary action, up to and including termination.

In situations and on issues involving ethical or moral judgments, employees may sometimes have difficulty determining the correct course of action. In such situations, employees are urged to discuss the matter with the General Manager of RVSD.

Certain management employees are subject to RVSD's Conflict of Interest Code disclosure requirements.

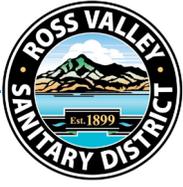
### GUIDELINES

While employed by RVSD, employees are expected to devote their energies to their jobs. Employees are expected to adhere to high ethical standards and avoid situations that create an actual or potential conflict between the employee's personal interests and the interests of RVSD. A conflict of interest exists when the employee's loyalties or actions are divided between RVSD's interests and those of another, such as a political figure or vendor/supplier. Both the fact and the appearance of a conflict of interest should be avoided. Regular full-time employees may not hold an outside salaried or fee-based job without approval from the General Manager. The General Manager may provide written approval of the outside employment, either upon hire by RVSD or when an employee requests review of outside employment so long as the outside job will not interfere with the employee providing satisfactory performance of his or her job responsibilities for RVSD. Outside employment will present a conflict of interest and be prohibited if it has an actual or potential adverse impact on RVSD.

Employees who wish to engage in outside employment that may create a real or apparent conflict of interest must submit a written request to the General Manager explaining the details of the outside employment. If the outside employment is authorized, RVSD assumes no responsibility for it. RVSD will not provide Workers' Compensation coverage or any other benefit for injuries occurring from or arising out of outside employment. Authorization to engage in outside employment can be revoked at any time.

### TYPES OF OUTSIDE EMPLOYMENT THAT ARE STRICTLY PROHIBITED:

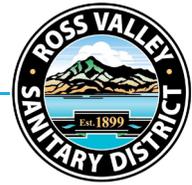
- Outside employment that conflicts with an employee's work schedule, duties, and responsibilities at RVSD.



- Outside employment that creates a conflict of interest or is incompatible with the employee's position with RVSD.
- Outside employment that impairs or has a detrimental effect on the employee's work performance with RVSD.
- Outside employment that requires the employee to conduct work or related activities on District property during the employee's working hours or using District facilities and/or equipment.
- Outside employment that directly or indirectly competes with the business or the interests of RVSD.

### **GUIDELINES FOR ETHICAL CONDUCT THAT RVSD EMPLOYEES ARE EXPECTED TO PRACTICE:**

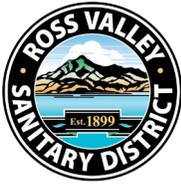
- Employees must not make commitments or agreements beyond what is authorized by the Board of Directors. This authorization may be in the budget document or by explicit policy or resolution, or minute order.
- No payments will be made using District funds with the understanding that any part is to be used for any purpose other than that described by the records supporting the payment.
- Gifts of cash or cash equivalents from any person or entity doing business with RVSD are never permissible if the amount exceeds the limits established by the Fair Political Practices Commission. Gifts, favors and entertainment may be given to others at RVSD's expense only if they are consistent with accepted business practices and are of such limited value that they cannot be considered as a bribe or pay-off.
- The highest standards of honorable and ethical conduct must be observed in all relationships with other agencies and the public. It is prohibited to make disparaging statements, take any other unfair actions, or participate in any activity intended to damage RVSD, other agencies or the public.
- District letterhead/stationery may be used only for District matters and not for personal or non-official correspondence.
- If an employee is asked by another employee or supervisor to a) perform any act that appears unlawful, b) make any unlawful entry on RVSD's records or reports, c) omit any entry that should lawfully be made, d) suppress or hide any information that may result in detriment to RVSD or be in violation of the law, or e) disclose information of a confidential nature except when legitimately required, it is that employee's duty and responsibility to bring the matter to the attention of his or her manager, Department Head, and/or the General Manager. An employee who files a grievance of this nature will not be retaliated against.
- Employees are expected to treat each other with courtesy, honesty, respect and understanding. Job-related problems should be discussed clearly, objectively, and without blame; and differences resolved fairly, professionally and promptly. Confidential matters pertaining to employees will be respected.



- Employees are expected to be polite, courteous, prompt and attentive to every person who calls or visits RVSD's offices and to each other. When a situation arises where the employee does not feel comfortable or capable of handling an issue from the public, the employee's supervisor should be contacted for assistance.
- Employees are responsible for safeguarding confidential information obtained during employment. In the course of work, employees may have access to confidential information regarding RVSD, its customers, elected officials or fellow employees. It is the employee's responsibility to protect and in no way reveal any such information, including to any media, unless it is necessary for the employee to do so in the performance of duties or required by law.

Employees are encouraged to share their work-related concerns, seek information, provide input, and resolve work-related problems/issues through their immediate supervisor, and as appropriate, consult with any member of management toward those ends. The District's objective is to listen to employee concerns, to encourage employee input, and to seek resolution to work-related concerns, problems, and issues.

The reputation and good name of RVSD depends upon the honesty and integrity of each employee. It is important that employees rely on their own good judgment in the performance of their duties and responsibilities. It would be virtually impossible to cite examples of every type of activity that might give rise to a question of unethical conduct. Therefore, when those situations occur where the proper course of action is unclear, employees are to request advice and counsel from their supervisor or the General Manager.



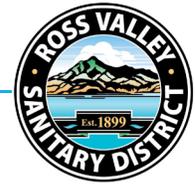
### POLICY

Ross Valley Sanitary District prohibits all of the following:

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

## SECTION 2: EMPLOYMENT PRACTICES





## POLICY

Employees are categorized into one of three different types of employment status: regular full-time; regular part-time and limited-term assignments. For the purposes of the policies included in this Policy Book, Board members are not employees. The General Manager is responsible for all hiring of District staff.

### REGULAR FULL-TIME EMPLOYEE

Regular full-time employees have successfully completed a probationary period and regularly work a minimum of forty (40) hours per week. Employees in this status are required to participate in the State retirement program (CalPERS) and are eligible to participate in all benefit programs offered by the District subject to the terms, conditions and limitations of each benefit program. Regular full-time employees receive all benefits provided in these Policies, unless otherwise provided in an MOU, or an employment agreement approved by the District Board.

### REGULAR PART-TIME EMPLOYEE

Regular part-time employees have successfully completed a probationary period and regularly work more than twenty (20) hours but less than forty (40) hours per week. After one-thousand hours of work in a fiscal year, employees in this status are required to participate in the State retirement program (CalPERS), and may participate in other benefits at the District, on a prorated basis and as defined by Federal or State law. Regular part-time employees may have different rights to leave and other benefits under the law or these Policies, depending on the number of hours they work.

### LIMITED TERM EMPLOYEE

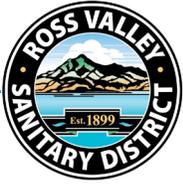
The District may hire full-time or part-time employees on a limited term basis to fill District positions for a specified time, typically from one to four years. Employment terms for limited term employees are governed by unique employment contracts.

### PROBATIONARY EMPLOYEE

A Probationary Employee is an employee who is serving a probationary period in the classification of the position held following the date of hire or promotion into a regular appointment. The probationary period describes a period which is used for the adjustment and evaluation of a newly appointed or reassigned employee as provided for in the classification specification for the position. The probationary period is further defined in ***Policy 202 Probationary Period***.

### TEMPORARY EMPLOYEE

The District may hire full-time or part-time employees on a temporary basis to assist District personnel in the accomplishment of specific projects or business goals. Temporary employees are typically hired through an employment agency, paid on an hourly basis and are not eligible to participate in any benefits



other than those that are mandated by State and/or Federal laws and regulations. Temporary employee status is not considered for seniority or benefit longevity purposes if the employee is subsequently hired as a regular full-time or regular part-time employee.

### **AT-WILL EMPLOYEE**

An “at-will” employee serves the District at the pleasure of the General Manager under an individual employment contract. The individual employment contract is the sole and exclusive basis for the employment relationship between the employee and District. An at-will employee has no property right in continued employment and has no right to any pre- or post-disciplinary procedural due process or evidentiary appeal. At-will employees may be terminated at any time, with or without cause, and with or without prior notice.

### **EMPLOYMENT CLASSIFICATIONS**

All District positions are classified as either exempt or non-exempt according to Federal and State legal guidelines and are further outlined in *Policy 209 Overtime*.

#### **EXEMPT POSITIONS**

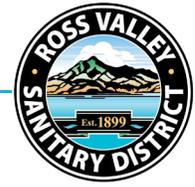
Exempt employees include, but are not limited to, those employees who are executive, administrative or professional as defined by federal wage and hour laws are considered exempt from overtime pay requirements.

#### **NON-EXEMPT POSITIONS**

Employees designated as non-exempt are paid on an hourly basis with overtime compensation paid or compensatory time earned for more than eight hours in one day or forty (40) hours in one week, unless a 9/80 work schedule or 4/10 work schedule has been implemented. Non-exempt employees may choose to take compensatory time off in lieu of overtime pay.

### **DISASTER WORKERS**

Government Code §3100-3109 designates all public employees as disaster workers in protection of State citizens and resources. As disaster workers, employees are required to serve during a State or local emergency providing disaster service activities as assigned by a District supervisor or manager.



### POLICY

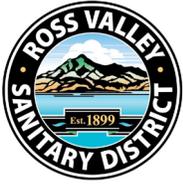
The probationary period is an intrinsic part and extension of the employee selection process during which time the employee will be considered in training and under careful observation and evaluation by supervisory personnel. Probationary employees must show that they can perform the duties of the job without a need for closer supervision and monitoring than is reasonable for the position. Probationary employees must take the initiative to understand policies, regulations, and instructions and are required to deliver quality service on behalf of the District. Probationary employees must work and conduct themselves in a professional manner that is appropriate for the job and that exemplifies the values of the District to other employees, managers, supervisors, and the public.

For all District employees a probationary period consists of the twelve (12) months following the date of hire or promotion into a regular appointment, unless defined otherwise in a memorandum of understanding. This period can, with notice, be extended up to one additional year at the recommendation of the supervisor and the approval of the General Manager.

During the probationary period, a Probationary Employee may be released at any time with or without cause and with or without notice by either RVSD or the employee. There is no recourse to any grievance or appeals process upon release from probation. Decisions on probation are at the sole discretion of the General Manager; the General Manager's decision is final, and the probationary employee is not entitled to a notice or hearing.

An employee promoted or transferred to any position will also serve a probationary period in accordance with these rules or an applicable memorandum of understanding, before obtaining regular status in that position. As it relates to the performance evaluation period, the employee's annual evaluation date will be revised to coincide with the date of the promotion, transfer, reassignment, or demotion.

A promoted or transferred employee unable to satisfactorily perform duties and responsibilities, at the sole discretion of the General Manager, may demote back to his or her previously held position during or at the conclusion of the probationary period.



## POLICY 203: POSITION CLASSIFICATION ADMINISTRATION

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### POLICY

The purpose of the RVSD classification plan is to provide a system that encourages employee development, provides opportunities for career advancement, and creates an understanding of the roles, responsibilities and relationships of each classification within the District.

A classification plan is comprised of individual class specifications.

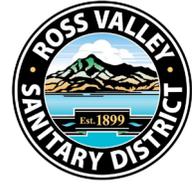
Class specifications identify the essential duties, responsibilities, level of authority, knowledge, skills, education, experience, licenses and certifications required to meet the minimum performance standards for each classification at the District. The General Manager shall ascertain and record the duties and responsibilities of all positions and, after consulting with affected department heads, shall recommend a classification plan, including job descriptions, for such positions.

The Board is responsible for adopting the classification plan and authorizing the number of District positions. The General Manager is responsible for ensuring that accurate class descriptions exist for all positions.

### PROCEDURE

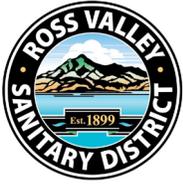
Whenever one or more new positions or classifications are to be established, or whenever, because of any change in organization or method, a significant change in duties or responsibilities of any existing position is to be made that requires the amendment of the classification plan, such revision and amendment of the classification plan will be made in the manner as provided herein:

1. Whenever the General Manager proposes that a new class be created or that a significant change in duties or responsibilities of an existing class exists, a written report of the significant facts will be provided to the Board of Directors.
2. Based on the facts and report provided, the Board of Directors will first determine whether a new position must be created or if there has been a significant change of duties to the current class. If there has been a significant change of duties, the Board will consider the new duties/responsibilities and adopt an appropriate classification and salary range. If a new class is established, a class description similar to those contained in the classification plan will be prepared and the Position Allocation Schedule will be amended and approved by the Board of Directors. The General Manager is responsible for the preparation of a class specification for each classification in the Position Allocation Schedule adopted by the Board of Directors. The class specifications describe common distinguishing characteristics for each classification such as title, nature of work, supervision received and exercised, examples of typical and related



duties, qualifications, requirements, and relationship to other classifications in the career series, if applicable. Class specifications will be updated, maintained, or may be created on a temporary basis as the General Manager determines necessary to properly describe the work performed and to accomplish RVSD's mission, purpose and programs.

3. The General Manager is responsible for the classification of individual positions and the assignment of classes to salary ranges within currently approved salary schedules as may be required to accomplish RVSD's mission, purpose and programs, provided that such actions are consistent with policy and will not exceed the approved budget for personnel expenses. For reassignment of a particular class to a different salary range, the General Manager must request the official Position Allocation Schedule be amended by the Board of Directors.
4. For represented classifications, whenever one or more new positions or classifications are to be established, or whenever, because of any change in organization or method, a significant change in terms and conditions of employment are proposed, the District shall meet and confer with the union in accordance with the Myers-Milias Brown Act (MMBA).
5. The General Manager may initiate a job audit to determine whether the duties of a position have changed to such an extent that they necessitate reclassification of the position from the existing classification to a more appropriate classification. Upon completion of the job audit, the General Manager shall make a recommendation regarding reclassification to the Board of Directors.



### POLICY

#### REASONS FOR LAYOFF

The District may layoff any employee or reduce an employee's hours of work whenever it is necessary because of a lack of work or funds, or whenever it is advisable in the interest of efficiency and economy to reduce or reorganize the number and types of regular employees.

#### ORDER OF LAYOFF

Employees will be laid off in the inverse order of their seniority in their classification in the department. Seniority is determined based on the length of employment, unless otherwise specified in an applicable MOU. Length of employment includes all days of employment in attendance at work and on authorized or legally protected leaves of absence. Length of service does not include unauthorized periods of leave or suspension or layoff.

Less-senior workers in a higher classification who are to be laid off will displace less-senior workers in a lower classification. Within each classification, employees will be laid off in the following order: temporary; part-time; probationary; and for-cause status. If two or more employees in a classification to be laid off have the same length of employment, the employee to be laid off will be decided by lottery, unless otherwise specified in an applicable MOU.

#### OPPORTUNITY TO TRANSFER

An employee who is laid off may elect to transfer into a vacant position previously held or a vacant position for which the employee meets the minimum qualifications, as long as the new position is listed in the Position Allocation Schedule.

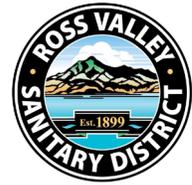
#### EXCEPTION TO ORDER OF LAYOFF

Where the General Manager deems it to be in the best interest of the service, she or he may retain an employee in an affected job class who has specific qualifications, despite the order of the layoff provided above, if the General Manager determines:

1. Such action is in the best interest of the service;
2. The employee retained has such special qualifications;
3. The employee laid off does not have such special qualifications; and
4. Such special qualifications are important in the performance of the work of the District.

# POLICY 204: REDUCTION IN FORCE

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## LAYOFF PROCEDURE

1. The District will provide written notification to affected employees and their representatives, if any, at least three calendar weeks prior to layoff.
2. The District at its discretion may place employees scheduled for layoff on paid Administrative Leave.
3. An employee who has been noticed for layoff, and who has any questions or concerns about the layoff decision or process may make an appointment to be heard by the General Manager for an informal pre-layoff review. The employee must request this appeal in writing within five workdays from the date of the notice of layoff. The General Manager's decision is final.

## CHANGES IN JOB CLASSIFICATIONS

Employees can transition between allocated positions through one of the following mechanisms:

### PROMOTION

A promotion is the appointment of an employee from a position in one class to another higher class where the employee is assigned a pay level above the employee's current pay range. Promotions occur through the competitive examination process. An employee who is promoted must meet the current minimum qualifications for the classification to which the employee is being promoted. Probationary periods are required for promotional appointments.

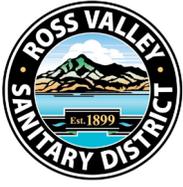
### DEMOTION

A demotion is the reassignment of an employee from one class to another class having a lower pay range. A demoted employee due to reorganization efforts may be eligible to receive y-rated pay to distinguish from demotions from cause. Typically, this occurs if an employee's position has been reclassified to a classification with a maximum salary lower than the employee's current pay rate. Only when the maximum salary for the new classification is increased to a level higher than the employee's current salary does the employee become eligible for any salary increase. An employee who is demoted must meet the current minimum qualifications for the classification to which the employee is being demoted. The General Manager has discretion to determine whether a probationary period is needed for a demotion.

### TRANSFER

A transfer is the movement of an employee from one assignment to another within the same or a substantially similar job classification. An employee who is transferred must meet the current minimum qualifications for the classification to which he or she is being transferred. The General Manager has discretion to determine whether a probationary period is needed for a transfer.

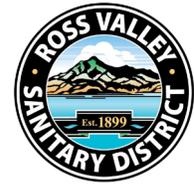
If the General Manager determines that a for-cause employee who is subject to layoff is qualified to perform the duties in a vacant position, the employee will receive a written notice of option to transfer in lieu of layoff. An employee who does not accept a transfer within 10 days after the date of the written



## POLICY 204: REDUCTION IN FORCE

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notice, forfeits the option to transfer. An employee who accepts a transfer will be paid the rate applicable to the position into which the employee transfers.



## PURPOSE

The purpose of the RVSD **Compensation Policy** is to establish objective guidelines to be used in establishing compensation for District positions. This policy is intended to ensure that RVSD's compensation practices are consistent with its public service mission, reflect its organizational values, and support related strategic plan objectives.

RVSD recognizes that the quality and performance of its staff has a significant impact on the District's ability to successfully carry out its wastewater utility service mission. RVSD recognizes that compensation practices impact labor costs, and that labor costs account for a significant portion of the total cost to provide safe, reliable wastewater utility service to its customers. In establishing a compensation policy, the District is balancing its objective to attract, retain, and develop high quality staff with its objective to maintain the financial health and sustainability of the District.

## FACTORS CONSIDERED IN ESTABLISHING COMPENSATION

In setting compensation levels, RVSD considers the following factors.

### TOTAL COMPENSATION

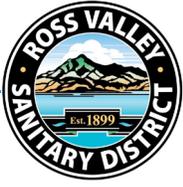
RVSD considers total compensation, which includes wages and benefits. Benefits include active employee benefits and post-employment (retirement) benefits. Active employee benefits include examples such as paid vacation, holidays, and sick leave; medical and dental insurance; and related benefits. Post-employment benefits include pre-tax retirement savings benefits, pension benefits, and post-employment medical insurance. RVSD considers total compensation to ensure meaningful comparison between other public utility agencies and to ensure both short- and long-term fiscal impacts are considered.

### REGIONAL MARKET COMPARISON BENCHMARKS

RVSD periodically conducts compensation surveys to compare its total compensation to that of other wastewater utility agencies. These benchmarking comparison agencies will be representative of the agency and its employee classifications.

### MARKET COMPETITIVENESS

RVSD recognizes that in seeking to recruit and retain high quality staff, it is competing with other employers within its industry and region. In evaluating compensation levels, RVSD also evaluates its market competitiveness based on data from the most recent compensation information collected from the compensation survey.

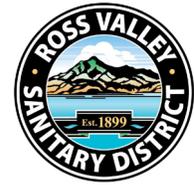


### **COST OF LIVING ADJUSTMENTS (COLA's)**

Cost of Living Adjustments (COLA's) are applied to provide uniform adjustments to wage rates across all job categories, with the intent of maintaining the purchasing value of wages under varying regional economic conditions. RVSD uses the U.S. Bureau of Labor Statistics San Francisco Bay Area Consumer Price Index (April to April) in evaluating the need for COLA's.

### **BALANCING COMPENSATION AND FINANCIAL SUSTAINABILITY GOALS**

RVSD manages its compensation and resulting total cost of labor as one of several significant components that influence the District's financial sustainability.



## PURPOSE

The District is responsible for preparing a compensation schedule for all classes of positions whose compensation will be determined by the General Manager and the Board. To accomplish this, RVSD and its Board are responsible for establishing and administering a compensation schedule. The Plan will consist of a base salary, salary range or hourly wage rate for each separate class of employment. The General Manager and the Board review the schedule to ensure market competitiveness and internal equity.

## WAGE AT HIRE

All new employees will be advised at the time of hire as to their starting rate of pay. Employees are normally hired at the starting salary level. New employees may, however, be hired at a pay rate greater than the minimum in consideration of such factors as advanced or specialized education or training, level of experience, possession of highly developed technical skills, demonstrated achievements or labor market competitiveness. An applicant recommended for hiring above the starting salary rate will receive advance approval of the General Manager.

## STEP INCREASES

Upon determination of progress and productivity as evidenced by a satisfactory (“meets expectations”) or better annual performance evaluation, employees will be considered eligible for an increase in salary.

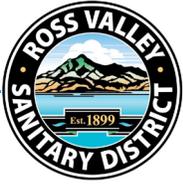
An advance in pay steps is not automatic upon completion of specific periods of service. Employee performance will determine whether an employee receives an advance in pay. Increases of more than one step are to be approved by the General Manager. Increases in pay will be withheld in cases of inferior work, lack of application, indifferent attitude, or any other sufficient reason as determined by the General Manager.

## PERFORMANCE MERIT INCREASES

Within the established salary range for their job classification, employees may be eligible for an annual performance merit increase, not to exceed ten percent (10%) of salary. The merit increase may be granted by the General Manager based on the employee’s merit and performance. All merit increases are subject to the discretion of the General Manager.

## PROMOTIONS

Employees employed in the District’s service who are promoted to a position in a class with a higher pay range will be entitled to receive the rate of compensation in the entrance step of the class to which they have been promoted. In cases where the pay range overlaps, promotion will be applied at the step in the range of the new class that is five percent (5%) or greater than the employee’s current step. The pay step is determined based on the base pay, including any applicable certificate premium pays. A new



anniversary date will be established for purposes of eligibility for future step increases and will be the effective date of the promotion.

### TRANSFERS AND DEMOTIONS

In the case of a transfer or demotion of any employee from one position to another position to a class with a lower pay range, the employee will be compensated at the step in the pay range for the new class which is nearest to the employee's pre-demotion pay unless a higher step is authorized by the General Manager.

In such cases the employee will have a new anniversary date. Subject to the discretion of the General Manager, the District may elect to "Y-rate" the employee's pay at the same rate he or she received prior to the transfer or demotion, until the pay range for the class to which the employee has been transferred equals or exceeds the Y-rate.

In the case of the permanent transfer of any employee from one position to another in the same class, or to another class to which the same pay range is applicable, the employee will remain at the same pay step and will retain his or her original anniversary date.

### OUT-OF-CLASS/ACTING ASSIGNMENT

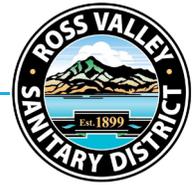
An "out-of-class" or "acting" assignment is the assignment of an employee currently in a lower job classification to the performance, as determined by the District, of a higher job classification due to a vacancy in the higher classification, because of leave without pay, vacation relief, extended sick leave, or for emergencies or peak work assignments for a limited duration. Pursuant to Government Code section 20480, an out-of-class assignment shall not exceed a total of 960 hours in each fiscal year.

At the sole discretion of the General Manager, an employee unable to successfully perform assigned duties shall be removed from the "out-of-class" or "acting" role and will return to their previously assigned role and pay.

### OUT-OF-CLASS ASSIGNMENTS

An "out-of-class" assignment will be made in writing by the employee's supervisor or manager and must be approved by the General Manager in advance of the commencement of the assignment. After an employee has performed an "out-of-class" assignment for five consecutive working days, such employee will receive additional compensation as stated herein.

An "out-of-class" assignment may include the assignment of a specific set of duties or responsibility for a specific set of programs/projects but would not necessarily constitute the entire role of an existing higher or different classification. In the case of an "out-of-class" assignment, the employee will be paid a five



percent (5%) increase above their current pay beginning on the sixth day of the “out-of-class” assignment and continuing until said employee returns to his or her regular class.

### **ACTING ASSIGNMENTS**

In the case of an “acting” assignment, the employee assumes the full scope of responsibilities of the higher classification. “Acting” employees will be paid either the lowest step of the range of the higher classification, or an amount that is within the higher pay range and is closest to five percent (5%) above current pay, whichever is greater. “Acting” assignments are appointed by the General Manager.

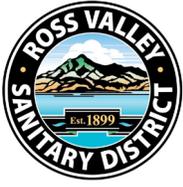
### **PAY PERIOD AND PAY DAY**

RVSD pays its employees bi-weekly. Paychecks cover the eighty (80) hour, two-week period beginning at 12:01 a.m. Saturday and ending at 12:00 midnight, inclusive, on the second following Friday. Each paycheck will reflect the base hourly rate of pay, overtime, holiday pay and premium pay earned during that pay period. Employees are paid for work performed during the previous pay period. When a payday falls on a bank holiday, employees will receive their payroll warrants on the day preceding the normal payday. By law, required deductions must be made in each pay period for Federal and State income taxes. There are no deductions made for State disability insurance as the District does not participate in this program.

Employees may contact payroll and accounting staff should they have any questions about payroll or pay checks. Payroll staff will address employee questions and concerns in a reasonable time frame.

### **DIRECT DEPOSIT**

The District provides employees with the convenience of having their paycheck directly deposited to a financial institution of their choice. A direct deposit authorization form must be submitted to the Finance Department. Two pay periods may be required to complete the direct deposit process with the bank.



### POLICY

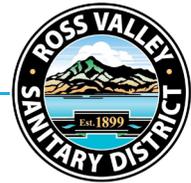
This policy sets forth the manner in which RVSD employees will be compensated when unable to work because of a natural disaster or equivalent event as determined by the District. This policy applies to all District employees and will be applicable on a fiscal-to-fiscal year basis.

In the event of a natural disaster or equivalent event that requires the Board of Directors or the General Manager to temporarily close a District facility, the General Manager will use this policy for compensation purposes. When this policy is in use and employees are ordered to leave work, or ordered not to report to work by the authority of the General Manager, employees will be compensated as follows:

- a) First Eight Hours – One hour of base pay (designated as Paid Leave – Other) for each scheduled work hour missed.
- b) Second Eight Hours – One-half hour of base pay (designated as Paid Leave – Other) for each scheduled work hour missed. This may be supplemented by compensatory time off, vacation or other similar accrued/earned leave benefit except sick leave.
- c) Third Eight Hours – One-half hour of base pay (designated as Paid Leave – Other) for each scheduled work hour missed. This may be supplemented by compensatory time off, vacation or other similar accrued/earned leave benefit except sick leave.
- d) Additional Hours – No further “Paid Leave – Other” compensation. Employee may use compensatory time off, vacation, or other similar accrued/earned leave benefit except sick leave.
- e) Leave Without Pay – An employee may use leave without pay instead of accrued/earned leave benefits for A, B and C above.

Employees who were on scheduled vacation, sick leave, Workers’ Compensation, or any other scheduled leave, whether or not paid, will not be eligible for compensation as described above.

The salary of an exempt employee consists of a predetermined amount irrespective of the number of hours worked. If an exempt employee has exhausted all accrued paid time off benefits and misses additional days or hours of work for personal reasons, the amount of time the employee misses may be deducted in hour per hour increments from the employee’s salary. (Title 29 Code of Federal Regulations Part 5 §541.5d).



### POLICY

The District establishes work hours consistent with its operating requirements and responsibilities. Work shifts, days, hours, and periods can be established and modified by the District within the limits prescribed by law, based on operating conditions and requirements. Employees may not change their own regular work schedule without the approval of a supervisor or manager.

Regardless of an assigned regular work schedule and based upon the service levels and operational needs, the District has the right to require an employee to work overtime (as described in **Policy 209 Overtime**) that may occur any time before or after the regular workday or regular workweek including weekends, evenings, and/or holidays.

All employees are assigned to work shifts with regular starting and quitting times. Some District operations and services may be scheduled on a sixteen (16) or twenty-four (24) hour basis seven days a week.

If the job requires a change of clothing or uniform, employees must arrive early enough to change before work begins. Employees are required to be at their assigned work locations (either Kerner or Larkspur Landing) at their designated starting time, in appropriate work attire, ready to work.

Two rest breaks of fifteen (15) minutes each are encouraged in an eight-hour day, usually during the first four hours of a shift and once again during the last four hours of a shift. Break periods cannot be added on to the lunch break, taken at the beginning or end of the workday, or saved for use at another time.

### STANDARD WORK WEEK

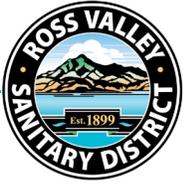
The standard work week shall begin at 12:01 a.m. Monday and end at 12:00 midnight on the following Sunday, inclusive. Scheduling of work hours shall be done by department managers. The standard work week shall consist of forty (40) hours normally broken into five days of eight hours each day.

### ALTERNATIVE WORK SCHEDULE

The District may consider approval of an alternative work schedule for specific positions based on service levels and operational needs. Alternative work schedules are at the discretion of the General Manager, based on business need, service levels, and merit, and are not an entitlement. An alternate work week schedule must not cause an increase in regularly scheduled overtime.

### ALTERNATIVE WORK SCHEDULE

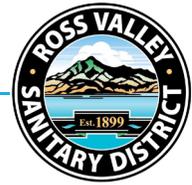
For employees using a 4/10 alternative work schedule, the standard workweek shall begin on Monday at 12:01 a.m. and end on Sunday at midnight (12:00 a.m.). An employee works ten hours per day for four



days, with three days off each week. The first workday of a 4/10 schedule may be fluctuated based on the needs of the division.

For employees using a 9/80 alternative work schedule, the standard workweek shall begin at noon on Friday and end at 11:59 a.m. on the following Friday. The workday begins at noon on any given day and continues until 11:59 a.m. on the following day. The 9/80 schedule is consistent and repeats every two weeks.

Employees using the 9/80 work schedule are required to work nine hours for eight workdays and eight hours on a ninth workday. Employees participating in a 9/80 work schedule will have alternate Fridays off. For employees working a 9/80 work schedule, each employee's designated workweek shall begin exactly four hours after the start of his/her eight-hour shift on the day of the week that corresponds to the employee's alternating regular day off. The workweek thus defined herein continues to provide a normal schedule of forty (40) hours in a workweek although the employee works forty-four (44) hours in one calendar week and thirty-six (36) hours in the second calendar week of the two-week period. Overtime shall not be paid unless an employee exceeds forty (40) hours of work in the workweek.



### POLICY

Employees may be required to work overtime. Overtime is all hours an overtime-eligible employee actually works over forty (40) hours in his or her designated work week. All District positions are classified as either exempt or non-exempt in accordance with the Federal Fair Labor Standards Act (FLSA). In accordance with FLSA, exempt positions include, but are not limited to, primarily administrative, professional, and/or executive in the performance of their job duties and are not eligible for overtime compensation. Non-exempt employees are eligible to earn overtime compensation at overtime rates.

All overtime must be pre-approved by a supervisor or manager. Overtime worked without pre-approval will be entered in the time control system and reviewed on a case-by-case basis. Abuse or falsification of time control system records may result in discipline up to and including termination.

### FLSA OVERTIME

Employees in non-exempt positions earn overtime at the rate of one and one-half times the regular rate of pay for all hours worked more than eight hours per day or forty (40) hours per week, or the employee's regularly scheduled workday or workweek, whichever is longer. Only actual hours worked will be counted toward the eight hours per day or forty (40) hours per week thresholds for purposes of calculating FLSA overtime pay; paid leave, such as holidays and vacation, will not be counted as time worked. Overtime-eligible employees who are directed to work overtime must do so.

Overtime is compensated to the nearest quarter hour (15 minutes) by rounding work time up or down. For example, time worked to 10:07am shall be rounded down to 10:00am, and time worked to 10:08am shall be rounded up to 10:15am.

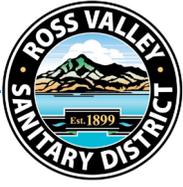
No employee is required to work more than sixteen (16) total hours during a twenty-four (24) hour period. Overtime will be distributed as equally as practical among employees in a work unit.

Overtime will be paid at double the rate of pay for supervisor-approved or manager-approved time worked more than twelve (12) consecutive hours.

### FLSA-EXEMPT EMPLOYEES

In recognition of the irregular hours and time required by exempt employees, an administrative leave program is established by resolution of the Board of Directors.

Unused administrative days shall expire on December 31 of each calendar year. The procedure for requesting approval to use administrative leave is the same as that required to schedule vacation time.



### **OVERTIME - PRIOR APPROVAL REQUIRED**

The Fair Labor Standards Act (FLSA) requires that the District pay each employee who is entitled to receive FLSA overtime for all hours worked. Employees who are exempt from FLSA overtime because of the executive, administrative, or professional nature of their job duties do not receive overtime pay.

Employees are required to record all work time on official District records and to receive approval for any overtime worked in accordance with current District procedures or as stated in a MOU. Failure to follow the District's overtime approval procedures will result in being paid for all legitimate work time, and may be subject to disciplinary action, up to and including termination for violating the overtime approval procedures.

In emergency situations that necessitate working overtime, the employee must notify a supervisor or manager as soon as possible, and in no event later than the end of that day upon which the emergency occurred. If the supervisor denies the request to work overtime, the employee must obey the supervisor's directive and cease working.



### POLICY

Consistent attendance and punctuality are important to conducting the District's business, and are, therefore, an essential part of each employee's performance standards. Poor, inconsistent, or irregular attendance can produce disruptive results for District operations, lower overall productivity and continuity of work, and is often burdensome to other employees.

Attendance records are an objective, measurable element included in each employee's performance appraisal. They are also an element for all merit pay recommendations and promotions.

Employees are expected and required to report to their designated work location (either Kerner or Larkspur Landing) at the prescribed time work activity is to commence. Tardiness, unexcused absence, failure to follow appropriate leave notice requirements, or failure to report as required may result in disciplinary action, up to and including termination of employment.

### ADVANCE REQUEST FOR PERMISSION TO DEVIATE FROM REGULAR WORK HOURS

An overtime-eligible employee is required to seek advance permission from that employee's supervisor for any foreseeable absence or deviation from regular working, break, and mealtimes.

### NOTIFICATION OF UNFORESEEN LATE ARRIVAL OR ABSENCE

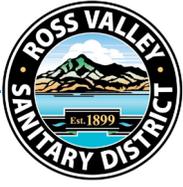
If an employee is unable to report to work as scheduled and has not received prior approval from their supervisor to be absent, the employee must phone into the dedicated District voicemail line and leave a message prior to the scheduled reporting time or be prepared to provide evidence of extenuating circumstances. In all cases of absence or tardiness, the employee must provide the supervisor with the type and duration of absence.

In the event of an emergency, employees are to notify the District as soon as possible if they are unable to report to work. Failure to comply with notification requirements may result in disciplinary action up to and including termination.

### EXCESSIVE TARDINESS/ABSENTEEISM AND ABUSE OF LEAVE

Coming to work late, leaving work early, taking extended breaks, including taking lunch beyond the allotted time, and chronic, persistent, or patterned use of sick leave may result in disciplinary action up to and including termination.

Excessive tardiness occurs when an overtime-eligible employee who, without authorization, is late to work or late to return from breaks more than three times during any thirty-day (30-day) period. Excessive



absenteeism occurs when the number of unapproved absences for reasons that are not permitted by state or federal law, exceeds three days in any three-month period. Excessive tardiness or absenteeism may be grounds for discipline, up to and including termination.

Abuse of leave is a claim of entitlement to leave when the employee does not meet the requirements for taking the leave, and may be grounds for discipline, up to and including termination. Should the District suspect that there is an abuse of leave by an employee, the District may require that the employee submit a physician's certificate to support the absence.

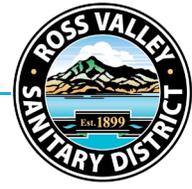
### LACTATION BREAK TIME

Employees who are breastfeeding may take additional unpaid breaks with their supervisor's approval in order to express breast milk for an infant child. Employees will be required to use the paid rest break time already provided to them, if possible. If a reasonable amount of additional time is needed, that time will be unpaid and will only be approved if the employee's taking the additional time does not seriously disrupt business operations. The employee may choose to use the employee's own lunch break time to express breast milk as well.

The District will make reasonable efforts to provide employees who need a lactation accommodation with the use of a room or other private location, other than a toilet stall, that is located reasonably close to the employee's work area. Employees with private offices, i.e., with a door that can be locked and without visibility to passers-by, will be required to use their offices to express breast milk. Employees occupying such private areas shall either secure the door or otherwise make it clear to others through signage that the area is occupied and should not be disturbed. All other employees should avoid interrupting an employee during an authorized break under this section, except to announce an emergency or other urgent circumstance. Authorized lactation breaks for employees assigned to the field may be taken at the nearest appropriate private area.

Any employee storing expressed milk in any authorized refrigerated area within the City shall clearly label it as such. No expressed milk shall be stored at the City beyond the employee's workday/shift.

Employees who desire lactation accommodations should contact their supervisor or the Administrative Services Manager to request accommodations.



## POLICY

The District follows merit-based procedures when filling open positions.

### PROMOTIONAL AND OPEN EXAMINATIONS

#### INTERNAL RECRUITMENT (PROMOTIONAL EXAMINATION)

To enhance opportunities for career development among current employees, all vacant positions will be posted on the District designated bulletin boards for a minimum of two weeks.

The District encourages internal promotion when minimum qualifications can be met. However, the District reserves the right to recruit externally.

#### EXTERNAL RECRUITMENT (OPEN EXAMINATION)

When a position requires supervisory responsibility, and/or the District determines a need to fill a position from outside of the current work force, then the examination process will be open. Recruitment and advertisement will run for a minimum of two weeks in duration. Eligible District employees may compete in an open examination.

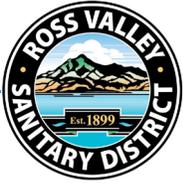
### JOB ANNOUNCEMENT AND APPLICATION PACKAGE

The job announcement will include:

- The title and pay for the position;
- The nature of the work to be performed and essential job duties of the position;
- The minimum qualifications, including whether the job is a promotional position;
- A statement of the employment status of the position – for cause or at-will;
- The last date that the General Manager or designee will accept applications, if any;
- The time, place, and type of the examination, if known, and if a medical examination, and/or a drug screen will be required following a conditional offer of employment; and
- Such other information as determined in the discretion of the General Manager or designee.

The job announcement and other advertisements will identify a final filing date and all materials will be submitted to the District on or before that date for further consideration. The District may elect to have an open-ended recruitment, in which case the job announcement will be posted as “open until filled.”

All job applicants must complete an application form. Job applications shall require information describing an individual’s training, experience, and other pertinent information as deemed necessary to assess qualifications for the job. Applicants may be required to provide supplementary information, including



but not limited to: answers to job-related questions; resume; licenses; certifications; diplomas; letters of recommendation; and references.

All applications must be completed in full and signed, physically or electronically, by the person applying. The General Manager or designee will not process any application which is not fully completed and signed. The application must be complete and accurate, regardless of whether or not a resume is attached. Refusal to provide a completed application may automatically disqualify an applicant from further consideration. All candidates who are applying for positions that require driving must also submit a current copy of their Department of Motor Vehicles driving record.

Should an applicant be appointed to a position, any supplemental application information shall become a part of the individual's permanent employment records.

### APPLICATION REVIEW

The General Manager or designee will review all the application packages and determine those that are the most qualified. The District or designee will notify all applicants of their eligibility. The General Manager may reject any application which: is not properly completed or incomplete; received after the application deadline; or indicates that the applicant does not meet the minimum qualifications for the position. Whenever an application is rejected, notice of such rejection shall be mailed or emailed to the applicant.

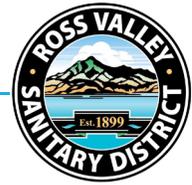
### EXAMINATION PROCESS

A candidate must successfully pass each part of the examination process to be retained on an eligibility list. The examination may be written, oral, a demonstration of physical ability or skills, or any combination thereof. The content of all examinations will be job-related and designed to test knowledge, skills or abilities that help predict successful completion of job duties.

The content of all examinations will be kept confidential prior to the administration of the examination. All applicants who are invited to the examination will be notified of the nature of the examination.

An applicant with a disability may request accommodation in an examination process. Following receipt of a request for accommodation, the General Manager or designee may require additional information, such as reasonable documentation of the existence of a disability.

Failure in one part of the examination, or the failure to meet established standards described in the job announcement, may be grounds for declaring such applicant as failing in the entire examination or as disqualified for subsequent parts of an examination. Each applicant will be notified whether they will continue in the examination process.



### ELIGIBILITY LIST

An eligibility list, effective for one year, may be developed to include all candidates who successfully complete the examination process. An eligibility list may be extended or deleted if there are fewer than three candidates remaining on the List. Candidates will be ranked in the order of their examination score. The District may offer employment to any of the candidates on the eligibility list after reference checks have been made and, if required, a physical examination and drug screen have been successfully completed. A person placed on an eligibility list shall be removed from the list if that person so requests in writing or fails to respond to notification of an opening within five days after notification. It is the responsibility of the eligible person to keep the Administrative Services Manager informed of their current physical or email address, or phone number.

### REFERENCE CHECKS

All job applicants will provide information on previous employment and other references as required on the application form. Final offers of employment will not be made until the District has had an opportunity to verify the information.

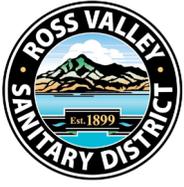
The Administrative Services Manager, or designee, will be responsible for conducting and verifying all reference sources. It is the policy of the District not to discuss the information obtained by way of the reference check with prospective employees and all related correspondence is kept in a separate confidential file.

### BACKGROUND CHECKS

A candidate being considered for appointment to District service will be subject to a background check that may include review of their credit record (if applicable to the position for which they are applying), personal history, education, professional credentials, military record and criminal records. No such background check will be undertaken without first obtaining the candidate's written authorization. If the candidate refuses to give authorization, the candidate will be considered to have withdrawn his or her application for District employment.

### CRIMINAL CONVICTION CHECKS

After the District makes a conditional offer of employment, the Administrative Services Manager, or designee, may then request information about criminal convictions, except for misdemeanor marijuana-related convictions that are over two years old, or convictions that have been judicially sealed, eradicated, or expunged. Unless required by law, the District will not deny employment to any applicant solely because that applicant has been convicted of a crime. The District may, however, consider the nature, date, and circumstances of the offense, evidence of rehabilitation, as well as whether the offense is relevant to the duties of the position.



## POLICY 212: EMPLOYMENT OF RELATIVES

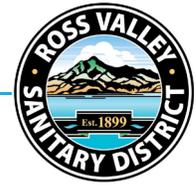
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### POLICY

The employment of relatives may lead to various challenges that include, but are not limited to, charges of favoritism, conflicts of interest, family discord, and scheduling conflicts that may work to the disadvantage of both the employee and the District.

For the purpose of this policy, the term relative will be defined as a spouse, or domestic partner, child, step-child, parent, grandparent, grandchild, brother, sister, half-brother, half-sister, aunt, uncle, cousin, niece, nephew, parent-in-law, brother-in-law, sister-in-law, or any other individual related by blood, marriage, living in the same household, or the equivalent relationships through a lawfully registered domestic partnership, or having a personal relationship that may be perceived as compromising employment objectivity. The term "elected" or "appointed" official is defined as the General Manager, a member of the Board of Directors, or a Board appointed committee member.

Relatives of regular employees may not be employed in the same department, nor transferred, promoted or demoted into the same department, nor placed in a position to evaluate a relative or be in the same line of supervision.



### POLICY

Personnel files are confidentially maintained in accordance with Federal and State guidelines and may be viewed by District management or supervisory staff as necessary for business operations and as allowed by law. Supervisors shall have access to employee's performance files, but not employee's personal information file.

An employee may inspect his or her own personnel file, upon reasonable notice and during regular business hours on regular business days. Employees who wish to review their personnel files should request an appointment to do so with the Administrative Services Manager. Upon written consent from the employee, a representative of the employee may also review an employee's personnel file. The Administrative Services Manager will arrange a time within one week of receipt of an authorized request to review a file. The employee or the employee's representative will have access to all contents of the personnel file except those materials which are a part of the employment/selection process (including letters of reference, ratings, reports, or records that were obtained prior to employment, prepared by identifiable examination committee members, or obtained in connection with a promotional examination) and any records relating to investigations of possible criminal offenses.

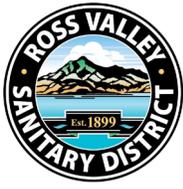
Employees may receive copies of any documents placed in their personnel file upon written request and at the District's cost of duplication. Employees may respond to anything in writing that is in the personnel file, including any negative information, and may request that the response be considered for inclusion in their personnel file. The file is the property of the District. Employees may not remove or add items to their personnel file without District approval and the file must remain in the custody of the District at all times.

### PERSONAL AND CONTACT INFORMATION UPDATE

Employees are responsible for notifying the Administrative Services Manager of changes in name, address, telephone number, driver's license, number of dependents, marital status, beneficiary, education certificates or any other pertinent information related to their service to the District or public disaster worker status.

### REFERENCE/CREDIT INQUIRIES

The District is authorized to verify position, salary, and employment dates only. No other reference information will be released unless required by court order or Federal or State law. Any other information, including address and phone numbers, may be released only with a written authorization from the employee. All reference inquiries or legal requests for information regarding District employees should be referred to the Administrative Services Manager for processing.



## POLICY 214: PERFORMANCE DEVELOPMENT PROGRAM

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### POLICY

The District has established a performance development program that includes regular communication between supervisor or manager and employee. This program includes informal conversations about performance, behavior, and work direction as well as a formalized system of performance evaluation allowing the employee and supervisor to discuss and document the employee's work performance within a specified time frame.

The District believes in an employer/employee relationship of mutual respect and understanding. All supervisors will provide regular full and part-time employees periodic performance feedback and work direction, as well as formal written performance evaluations on an annual basis. Supervisors may engage in more frequent written performance evaluations when it is determined by the supervisor, manager, and human resources department to benefit the advancement and development of the employee or the operation of the business.

The purpose of performance management and evaluation is to provide an employee with information relative to performance and to point out areas of success, achievement, room for growth and improvement, or issues that need to be addressed. Evaluations are also used in the determination of merit increases and eligibility for advancement, when applicable. Performance evaluations are not a substitute for regular communication between a supervisor and employee.

### PROBATIONARY EMPLOYEE EVALUATION

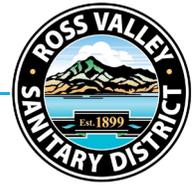
Probationary employees are typically reviewed at the midpoint and before the end of the probationary period or may have evaluations more or less frequently as determined by the District.

### PERFORMANCE DEVELOPMENT AND EVALUATION PROCESS

The performance development and evaluation process identify specific areas where successful performance has occurred, achievements have been made, objectives have been met, improvement is required, performance or behavioral issues have arisen, or continued development is encouraged. The performance evaluation process also identifies goals for the coming review period.

The criteria of performance development are primarily job related and secondarily related to a career track. The evaluation covers the entire term of the evaluated period. Supervisors will discuss evaluations with the Administrative Services Manager prior to the performance evaluation interview with the employee.

Supervisors will have regular performance management conversations with their employees and prepare formal written performance evaluations at least once annually. Assuming satisfactory performance, the supervisor will recommend employee advancement to the next salary step in the salary range, as appropriate. If performance is unsatisfactory, an additional review date, not to exceed six months from the previous review date, will be established from the time of the current evaluation when the employee



will be reevaluated for performance and potential salary advancement. This period will likely include a monitored performance improvement plan and regular meetings with the employee's supervisor or manager.

After the performance evaluation interview, both the employee and interviewer must sign the evaluation form. The performance evaluation will then be sent to the Administrative Services Manager for signature and filing. Signing indicates only receipt of a copy of the appraisal. The original will be kept in the employee's personnel file and a copy given to the employee. Employees may provide a written response to their evaluation that will be included with the evaluation in their personnel file. Written responses should be sent to the employee's supervisor with a copy to the Administrative Services Manager within five days of the date of signatures. Performance appraisals are not appealable or subject to the grievance process except as may be discussed in this policy.

### REVIEW OF RATINGS

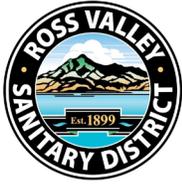
Performance evaluations of regular full-time and regular part-time employees that do not result in an overall rating of "satisfactory, meets standards, or higher", must be reviewed by the manager overseeing the employee's area of employment. If the overall appraisal results in an overall rating of "unsatisfactory", "lacks proficiency", or "does not meet standards", or if a merit increase is not recommended for which the employee would otherwise be eligible to receive, the employee may request a review by the Administrative Services Manager. This request should be made in writing with a copy of the employee's response to the evaluation. The Administrative Services Manager will respond to the employee, in writing, within fourteen (14) days of receipt of the request for review.

If an employee's concerns are not addressed through this process, the employee may request a review by the General Manager. This request should be made in writing within ten days of the Administrative Services Manager's response.

The General Manager will review the performance appraisal and the employee's written response to the employee evaluation and respond in writing as to whether to uphold or mediate the appraisal based on the information collected. The General Manager may request to meet with the employee or the supervisor to gather more information. The General Manager's decision is final.

### REPRESENTATION AT EMPLOYEE EVALUATIONS

Employee performance evaluation meetings which do not include a discussion of discipline will not create a right for steward representation or assistance at the meeting. However, this does not preclude an employee from bringing a representative to a scheduled meeting.



### POLICY

#### LAST DAY OF EMPLOYMENT

The last day of employment for employees who resign, retire or are separated from District employment is either the last day worked, the last day in service, or a day designated by the employee or the District in writing.

#### RESIGNATION

An employee who wishes to resign from District employment in good standing must submit the resignation notification to his or her supervisor, either verbally or in writing, at least two weeks prior to the planned separation date. Managers and supervisors are expected to give at least thirty (30) calendar days' notice of intent to resign or retire. The written notice must contain: the date the notice is given and the date the resignation becomes effective. Employees who fail to give proper notice of voluntary separation may not be considered for reemployment unless the circumstances requiring separation were such that the lack of proper notice was justified.

A resignation becomes final when accepted by the General Manager or designee. Once a resignation has been accepted by the General Manager or designee and communicated back to the employee in written form, it cannot be withdrawn. Once a resignation is accepted, it is assumed that the employee is not available for work beyond the effective resignation date. Following the acceptance of a resignation, no time off will be granted with the exception of documented illness, family emergencies, and holidays.

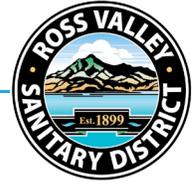
Employees who resign or retire from District service will receive the final paycheck at the end of the current payroll period in which the last day worked and falls on the normal pay date for that period, unless designated otherwise by applicable Federal or State law.

An employee whose job has been terminated receives the final paycheck on the last day of employment. All employees will be paid for applicable benefit accruals.

All employees who are separating from District employment are required to return all equipment, keys, ID cards, uniforms and other District property prior to leaving the District on the last day of work.

#### INTRODUCTORY/PROBATIONARY EMPLOYEE RELEASE

Introductory employees serving in their initial probationary period with the District may be released at any time during the probationary period as recommended by the General Manager or designee, without cause or reason or notice. A released probationary employee has no right to appeal or to submit a grievance.

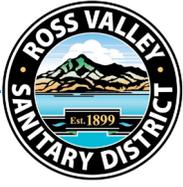


### RETIREMENTS

The District provides a comprehensive retirement benefits package through the Public Employees' Retirement System (CalPERS). Employees planning to retire from District service are encouraged to contact CalPERS as early as possible and are required to notice the District with their intended date of retirement, in accordance with this policy. A notice of retirement becomes final when the General Manager accepts the notice of retirement in writing. Once a notice of retirement has been accepted, it is final and irrevocable.

### JOB ABANDONMENT

An employee is deemed to have resigned from their position if the employee is absent for five consecutive scheduled workdays/shifts without prior authorization and without notification during the period of the absence. The employee will be given written notice, at his or her address of record, of the circumstances of the job abandonment, and an opportunity to provide an explanation for the employee's unauthorized absence. An employee who promptly responds to the District's written notice, within the timeframe set forth in the written notice, can arrange for an appointment with the General Manager or designee before final action is taken, to explain the unauthorized absence and failure of notification. An employee separated for job abandonment will be reinstated upon proof of justification for such absence, such as severe accident, severe illness, false arrest, or mental or physical impairment which has prevented notification to the District. No employee separated for job abandonment has the right to a post-separation appeal.



### POLICY

The RVSD Board recognizes agency employees when they receive industry-related awards for exceptional individual or organizational accomplishments. This policy sets forth Board actions and monetary award amounts for these employee accomplishments.

The District and its employees periodically receive recognition from national, state, and regional industry associations. Upon notification from an industry association that the District and/or staff members have received an award, the General Manager will prepare a report to inform the Board of the accomplishments. Probationary and regular employees who were employed by the Agency for at least six months during the award's specified time period are eligible for the monetary award. Temporary employees may be eligible for a monetary award, at the General Manager's discretion, if they meet the six-month employment criteria and their work or work product contributed to the particular award. The industry association, their award categories, and the Board monetary award levels, are detailed below.

#### **CALIFORNIA WATER ENVIRONMENT ASSOCIATION (CWEA) - REGIONAL AND STATE AWARDS**

CWEA is one of the state's water and wastewater industry associations. RVSD is a member of the Redwood Section of CWEA, which includes Marin, Sonoma, Napa, Solano, Lake, and parts of Mendocino counties.

Each CWEA section has award programs, which are standardized throughout the state, and recognize the achievements of its member agencies and their employees. Regional award-winning employees and organizations are automatically included in the statewide competition. CWEA announces the award recipients at their respective regional conferences and the annual state conference, and provides award plaques to the recipients.

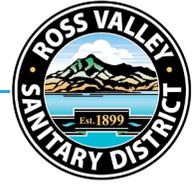
The following monetary award amounts are for achieving first place in a regional and state award:

##### Regional Award

- Organizational: \$100 for each Agency employee
- Individual: \$100 per award

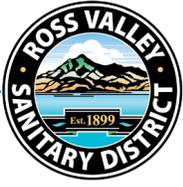
##### State Award

- Organizational: \$250 for each Agency employee
- Individual: \$250 per award



### OTHER AGENCY AND EMPLOYEE AWARDS

If the District and/or an employee(s) receive noteworthy recognition and an award from another industry association or group, such as the National Association of Clean Water Agencies, California Association of Sanitation Agencies or the California Sanitation Risk Management Authority, the General Manager may present the award to the RVSD Board and recommend a monetary award to employees of the organization or individuals at \$100 per employee for first place in regional awards, and \$250 per employee for first place state or national awards, as appropriate.



### POLICY

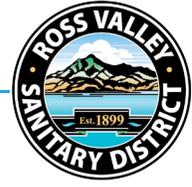
The purpose of the **Telecommuting Policy** is to ensure that essential Ross Valley Sanitary District (“District”) functions continue to be performed at an alternative location as may be needed.

The General Manager shall designate and authorize specific times in which a **Telecommuting Agreement** shall apply. Any **Telecommuting Agreement** is subject to the terms and conditions set forth in this Policy Book.

### ELIGIBILITY CRITERIA

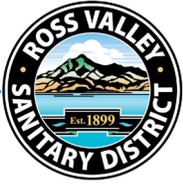
Telecommuting is not suitable for all employees and/or positions. The General Manager has the discretion to determine the employees and positions who may telecommute, utilizing criteria that includes, but is not limited to:

1. The operational needs of the employee’s department and the District.
2. The potential for disruption to the District’s functions.
3. The ability of the employee to perform his or her specific job duties from a location separate from his or her District worksite (‘Alternate Worksite’) without diminishing the quantity or quality of the work performed.
4. The degree of face-to-face interaction with other District employees and the public that the employee’s position requires.
5. The portability of the employee’s work.
6. The ability to create a functional, reliable, safe, and secure Alternate Worksite for the employee at a reasonable cost.
7. The risk factors associated with performing the employee’s job duties from a location separate from his or her District Worksite.
8. The ability to measure the employee’s work performance from a location separate from his or her District Worksite.
9. The employee’s supervisory responsibilities.
10. The employee’s need for supervision.
11. Other considerations deemed necessary and appropriate by the employee’s immediate supervisor, Department Head, and the Human Resources Manager.



### TELECOMMUTE ASSIGNMENT

1. Any Telecommuting Agreement is only valid for the time period specified in the Agreement. The Agreement is invalid after this time unless the District approves an extension in writing. The District may, in its discretion, decide to terminate the Agreement earlier.
2. Employee acknowledges and agrees that the Telecommuting Agreement is temporary and subject to the discretion of management. Telecommuting will be approved on a case-by-case basis consistent with the eligibility criteria above.
3. Non-exempt (hourly) employees who receive overtime shall be assigned a work schedule in the Telecommuting Agreement, including rest and meal breaks (“Work Schedule”). Any deviation from the Work Schedule must be approved in advance, in writing, by management. Non-exempt employees must take meal and rest breaks while telecommuting, just as they would if they were reporting to work at their District Worksite. Non-exempt employees may not telecommute outside their normal work hours without prior written authorization from their supervisor. A non-exempt employee who fails to secure written authorization before telecommuting outside his or her normal work hours may face discipline in accordance with the District’s policy for working unauthorized overtime.
4. Telecommuting employees are required to be accessible in the same manner as if they are working at their District Worksite during the established telecommuting Work Schedule, regardless of the designated location for telecommuting, or “Alternate Worksite.” Employees must be accessible via telephone, email, and/or network access to their supervisor and other District employees while telecommuting, as if working at their District Worksite. Employees shall check their District-related business phone messages and emails on a consistent basis, as if working at their District Worksite.
5. Employees shall work on a full-time basis, according to the Work Schedule. Employees are required to maintain an accurate record of all hours worked at the Alternate Worksite and make that record available to his or her supervisor upon request. Employees shall record all non-productive work time on his/her timesheet.
6. While telecommuting, employees shall adhere to the following:
  - a. Be available to the department via telephone and/or email during all Telecommuting Agreement designated work hours.
  - b. Have the Alternate Worksite be quiet and free of distractions, with reliable and secure internet and/or wireless access.
  - c. All periods of employees’ unavailability must be approved in advance by management in accordance with department policy and documented via the appropriate leave of absence process.

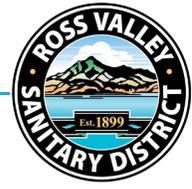


- d. Employees shall ensure dependent care will not interfere with work responsibilities.
- e. Employees must notify their supervisor promptly when unable to perform work assignments because of equipment failure or other unforeseen circumstances.
- f. If the District has provided District-owned equipment, employees agree to follow the District's policy for the use of such equipment. Employees will report to their supervisor any loss, damage, or unauthorized access to District-owned equipment, immediately upon discovery of such loss, damage, or unauthorized access. Upon termination of this Agreement, employees will return all District-owned equipment provided for the purposes of telecommuting to the HR Manager.

### GENERAL DUTIES, OBLIGATIONS AND RESPONSIBILITIES

Employees must adhere to the provisions set forth in this policy and the terms of the ***Telecommuting Agreement***. Any deviation from the ***Telecommuting Agreement*** requires prior written approval from the District.

1. All existing duties, obligations, responsibilities, and conditions of employment remain unchanged. Telecommuting employees are expected to abide by all District and departmental policies and procedures, rules and regulations, applicable Memoranda of Understanding, and all other official District documents and directives.
2. Employees authorized to perform work at an Alternate Worksite must meet the same standards of performance and professionalism expected of District employees in terms of job responsibilities, work product, timeliness of assignments, and contact with other District employees and the public.
3. Employees shall ensure that all official District documents are retained and maintained according to the normal operating procedures in the same manner as if working at a District Worksite.
4. Employees may receive approval to use personal computer equipment or be provided with District-issued equipment at the discretion of the General Manager or Assistant General Manager.
5. The District shall not be responsible for costs associated with the use of computer and/or cellular equipment, including energy, data or maintenance costs, network costs, home maintenance, home workspace furniture, ergonomic equipment, liability for third party claims, or any other incidental costs (e.g., utilities associated with the employee's telecommuting).
6. Employees may receive a virtual private network ("VPN") account, as approved by the General Manager or Assistant General Manager.
7. Employees shall continue to abide by practices, policies, and procedures for requests of sick, vacation and other leaves of absences. Requests to work overtime, declare vacation or take other time off from work must be pre-approved in writing by each employee's supervisor. If an employee



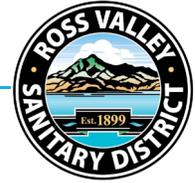
becomes ill while working under a **Telecommuting Agreement**, he/she shall notify his/her supervisor immediately and record on his/her timesheet any hours not worked due to incapacitation.

8. Employees must take reasonable precautions to ensure their devices (e.g., computers, laptops, tablets, smart phones, etc.) are secure before connecting remotely to the District's network and must close or secure all connections to District desktop or system resources (e.g., remote desktop, VPN connections, etc.) when not conducting work for the District. Employees must maintain adequate firewall and security protection on all such devices used to conduct District work from the Alternate Worksite.
9. Employees shall exercise the same precautions to safeguard electronic and paper information, protect confidentiality, and adhere to the District's records retention policies, especially as it pertains to the Public Records Act. Employees must safeguard all sensitive and confidential information (both on paper and in electronic form) relating to District work they access from the Alternate Worksite or transport from their District worksite to the Alternate Worksite. Employees must also take reasonable precautions to prevent third parties from accessing or handling sensitive and confidential information they access from the Alternate Worksite or transport from their District worksite to the Alternate Worksite. Employees must return all records, documents, and correspondence to the District at the termination of the **Telecommuting Agreement** or upon request by their supervisor, Department Head or Human Resources.
10. Employees' salary and benefits remain unchanged. Workers' Compensation benefits will apply only to injuries arising out of and in the course of employment as defined by Workers' Compensation law. Employees must report any such work-related injuries to their supervisor immediately. The District shall not be responsible for injuries or property damage unrelated to such work activities, including injuries to third persons when said injuries occur at the Alternate Worksite.
11. All of Employees' existing supervisory relationships, lines of authority and supervisory practices remain in effect. Prior to the approval of this **Telecommuting Agreement**, supervisors and employees shall agree upon a reasonable set of goals and objectives to be accomplished. Supervisors shall use reasonable means to ensure that timelines are adhered to and that goals and objectives are achieved.
12. Any breach of the **Telecommuting Agreement** by the employee may result in termination of the Agreement and/or disciplinary action, up to and including termination of employment.



## SECTION 3: BENEFITS





### POLICY

Regular full-time employees receive fifteen (15) paid holidays per year including four floating holidays. A full-day holiday is eight hours, and a half-day holiday is four hours.

### DISTRICT HOLIDAYS

- First day of January, known as New Year's Day
- Third Monday in January, known as Martin Luther King, Jr. Day
- Third Monday in February, known as President's Day
- Last Monday in May, known as Memorial Day
- Fourth day of July, known as Independence Day
- First Monday in September, known as Labor Day
- Eleventh day of November, known as Veteran's Day
- Fourth Thursday in November, known as Thanksgiving Day
- The Friday immediately following Thanksgiving Day
- December twenty-fourth (24<sup>th</sup>), starting at the second half of the workday
- December twenty-fifth (25<sup>th</sup>), known as Christmas Day
- December thirty-first (31<sup>st</sup>), starting at the second half of the workday
- The District will observe the above list of holidays and, at the District's discretion, any other day declared by the President of the United States or the Governor of California.

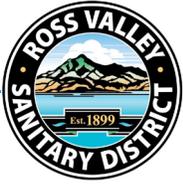
When a holiday falls on a Saturday, the Friday preceding the Saturday holiday will be observed. When a holiday falls on a Sunday, the Monday following the Sunday holiday will be observed.

If the December 25 or January 1 holiday falls on a Saturday, the holiday will be observed on the preceding Friday and the one-half day holiday preceding December 25 and/or January 1 will be observed on the preceding day (Thursday) beginning at the second half of the workday.

If the December 25 or January 1 holiday falls on a Sunday, the holiday will be observed on the following Monday and the one-half day holiday preceding December 25 and/or January 1 on the preceding Friday beginning at the second half of the workday.

If the December 25 or January 1 holiday falls on a Monday, Monday will be observed as the holiday. The one-half day holiday preceding December 25 and/or January 1 will be observed on the preceding Friday beginning at the second half of the workday.

An employee who does not work a Monday through Friday schedule will observe the holiday immediately following his or her two days off.



An employee on a regular part-time basis receives a pro-rated number of holidays off.

Employees who are required or authorized to work on a holiday observed by the District will be paid at the overtime rate of one and one-half times the base hourly salary except for the following holidays that will be paid at double the base hourly salary: Thanksgiving and the following Friday; Christmas and any time worked after the second half of the workday on the day before Christmas; New Year's Day and any time worked after the second half of the workday on the day before New Year's Day.

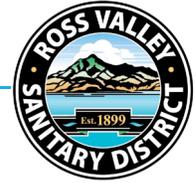
Employees on unpaid leave of absence will not receive payment for holidays that fall during the unpaid leave of absence unless the employee returns to a paid status (either returning to work or using approved paid leave) on the regularly scheduled workday either preceding or following that holiday.

### FLOATING HOLIDAYS

Each full-time employee accrues four floating holidays per fiscal year. Floating holidays are posted to the employee's leave account at the beginning of each quarter. Newly hired employees will receive accruals only on the quarterly schedule – no interim or pro-rated accrual will be provided at the time of hire. Employees may accumulate a maximum of eight floating holidays or sixty-four (64) hours of floating holiday time, after which accruals will cease until the total accrual balance drops below the maximum accumulation.

Planned use of a floating holiday(s) must be made through the time control system, using the appropriate leave code, and to the employee's supervisor at least five working days in advance. If the employee's need to use the leave is unforeseeable, the employee must provide notice to the employee's supervisor, or another supervisor as soon as is practicable.

Upon separation of the employee from the District, any accrued and unused floating holidays will be paid out at the employee's base rate of pay.



### POLICY

Full-time regular employees earn paid vacation time from the first month of employment; however, a new employee without District tenure may not use any accumulated vacation time until completing six months of employment, or as otherwise stated in an MOU or by approval of the General Manager. Vacation is accrued in accordance with the applicable MOU or with the adopted Salary and Benefits Resolution.

Employees on fractional or part-time working assignments shall accrue vacation directly proportionate to a full-time assignment, provided that vacation time shall be accrued only on actual working assignments of twenty (20) hours per week or more.

Accumulation of vacation leave up to sixty (60) days [four hundred and eighty (480) hours] is allowed. Once an employee's accrual reaches the maximum, additional vacation will not accrue until an employee's total accumulation level (accrued vacation balance) is below the stated maximum.

### USE OF VACATION

Vacations will be scheduled to ensure continuous and efficient departmental operations, operational safety, and to meet overall business goals and objectives. The General Manager will establish a system for assignment of vacations, which affords reasonable recognition of seniority and annual rotation. Whenever possible and within the constraints of the business needs of the District, vacation approvals will be made with consideration of the employee's request. All vacations are subject to cancellation in cases of emergency conditions.

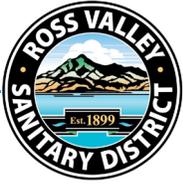
Every effort will be made to arrange vacation schedules so that each employee may take as much vacation in each year as accrues to the employee in that year. Each employee's vacation time may be so divided as the needs of the District to provide service require or permit.

No employee may take vacation without advance approval of his or her supervisor, manager, or the General Manager. No employee may take vacation leave in advance of the accrual. Only vacation leave that has accumulated and is recorded prior to the end of the previous pay period may be requested.

When an employee is restricted on the use of vacation time during a certain month, or months, of the year, due to the needs of the District, the District will make every reasonable effort to accommodate the employee's request(s) to use vacation time during the remaining months of the year. Vacation requests of more than fifteen (15) working days may require special consideration due to District operational needs.

### REQUESTING VACATION LEAVE APPROVAL

Planned use of vacation leave must be made through the time control system, using the appropriate leave code, and to the employee's supervisor at least five working days in advance. Employees are responsible for scheduling vacation time far enough in advance to provide ample time for scheduling and approval



and so that they do not exceed the maximum accrual limit. If the employee's need to use the leave is unforeseeable, the employee must provide notice to the employee's supervisor, or another supervisor as soon as is practicable. Special consideration may be given when unusual circumstances or an emergency occurs, and the employee must take vacation leave without advance notice.

If a District holiday occurs during vacation leave, the employee's vacation accrual will only be charged for actual workdays taken.

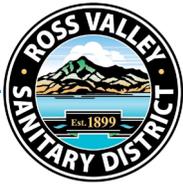
### **PAY OUT OF UNUSED VACATION ACCRUAL**

Prior to December 15 of each calendar year, employees may elect an Irrevocable Vacation Leave Request for Reimbursement for vacation leave that will be earned the following calendar year. The written election notice must be received by the Finance Department no later than December 15 of the calendar year before the calendar year in which the employee wishes to cash out vacation leave. The amount requested cannot exceed the amount of leave the employee will earn in the following calendar year. The written notice shall indicate the total number of vacation leave hours the employee wishes to cash out in the following year.

There may be up to three (3) separate cash out dates as chosen by the employee, with the last cash out date no later than the last paycheck paid in the calendar year. The written notice shall indicate the total number of vacation leave hours the employee wishes to cash out in the following year.

To maintain recordkeeping simplicity and compliance with IRS regulations, vacation leave used by the employee is used on a first in-first out basis, and vacation leave that is cashed out by the employee is cashed out on a last in-last out basis.

Upon separation of the employee from the District, any accrued and unused vacation will be paid out in full.



### POLICY

Sick leave will accrue and be used in accordance with the Healthy Workplaces Healthy Families Act of 2014 and the terms outlined in this policy. Employees who are found to abuse, or fraudulently use the provisions of this policy may be subject to disciplinary action up to and including termination of employment.

### ACCRUAL

Regular full-time employees will accrue eight hours of sick leave for every full calendar month worked. Regular part-time employees will accrue sick leave on a prorated basis based on their regular schedule (six hours per month for three-quarter time, four hours per month for half time, and so forth. No employee will accrue less than two hours per month worked.)

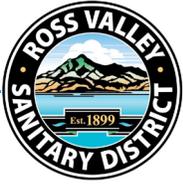
Employees do not accrue sick leave when they are on unpaid status. If an employee is on unpaid leave for only a fraction of a month, the employee will accrue sick leave on a prorated basis based on their percentage of the month actually worked.

Employees may accumulate a maximum of one thousand (1,000) hours of paid sick leave. If an employee's accrued sick leave balance reaches one thousand (1,000) hours, accrual shall cease until the employee's sick leave balance drops below the maximum allowed accumulation.

### SICK LEAVE USE

Sick leave may be used for the following reasons:

- Diagnosis, care, or treatment of the employee's own health condition or preventive care; or
- Diagnosis, care or treatment of a health condition or preventive care for an employee's family member. For the purposes of sick leave under this policy, "family member" means an employee's parent, child, spouse, registered domestic partner, sibling, grandchild, or grandparent.
- In addition, with appropriate certification, an employee who is a victim of domestic violence, sexual assault, or stalking may use accrued paid sick leave for the following reasons:
  - To obtain or attempt to obtain any relief, including, but not limited to, a temporary restraining order, restraining order, or other injunctive relief, to help ensure the health, safety or welfare of the victim or the victim's child;
  - To seek medical attention for injuries caused by domestic violence, sexual assault, or stalking;
  - To obtain services from a domestic violence shelter, program or rape crisis center;
  - To obtain psychological counseling related to an experience of domestic violence, sexual assault, or stalking; or
  - To participate in safety planning and take other actions to increase safety from future domestic violence, sexual assault, or stalking, including temporary or permanent relocation.



Employees may use their earned sick leave for personal or immediate family member medical appointments.

### USE OF ACCRUAL BALANCES

Except as prohibited by law or statute, employees are required to use accrued sick leave balances while on sick leave for themselves and up to fifty percent (50%) of their annual sick leave accrual while on leave to care for a family member. Employees may request use of vacation, holiday, or compensatory leave once sick leave balance use requirements have been exhausted. Except as otherwise indicated by law, the District will not be responsible for payment of accrual balances to an employee causing a potential loss in other benefits.

Whenever possible, appointments should be scheduled during the first or last hour(s) of the shift. Employees are expected to work other available hours in the same workday.

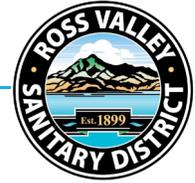
An employee who has returned to work following an accepted Workers' Compensation injury or illness and is required by the treating physician to leave work for treatment during working hours, will have that time charged against the employee's accrued sick leave balance.

Unused sick leave is not cashed out upon termination, resignation, retirement, or other separation from employment. Unused sick leave may be converted to retirement service credits only as may be permitted under applicable retirement system laws and regulations.

If an employee separates and is rehired within one year from separation, accrued and unused sick leave, to a maximum of six days or forty-eight (48) hours, whichever is greater, will be reinstated. An employee who worked at least ninety (90) days in the initial employment with the District may immediately use reinstated sick leave. An employee who had not worked ninety (90) days in the initial employment with the District must work the remaining amount of the ninety (90) day-qualifying period to be able to use accrued sick leave.

### ADMINISTRATION

It is the responsibility of the employee to notify the District of illness or injury unless medical conditions make notification impossible. Requests to use planned sick leave must be made through the time control system, using the appropriate leave code, and to the employee's supervisor at least five working days in advance. If the employee's need to use sick leave is unforeseeable, the employee must phone into the dedicated District voicemail line and leave a message prior to the scheduled reporting time or be prepared to provide evidence of extenuating circumstances. Notification shall be given as soon as known, and in no case later than the start of the work shift.



If the employee is required to be absent on sick leave for more than one day, the employee must keep the immediate supervisor informed each day as to the date the employee expects to return to work and the purpose of the leave. Failure to request sick leave as required by this policy without good reason, may result in the employee being treated as absent without leave.

### **REQUEST TO USE SICK LEAVE**

Employees may determine how much paid sick leave to request; however, the minimum amount of paid sick leave a non-exempt employee may use is thirty minutes.

The supervisor may request a health professional's certification for sick leave taken including all sick leave claims that are made while the employee is on vacation and for all illness/injuries events that exceed four consecutive working days. The District may, with advance written notification, require an employee to submit a health professional's certification or other evidence acceptable to the District, after any sick leave time is taken.

### **DENIAL OF SICK LEAVE BENEFITS**

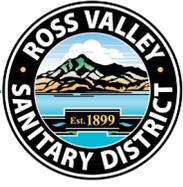
Sick leave with pay may be denied if it can be substantiated that the employee's absence did not comply with using sick leave as outlined in this Policy Book, and the absence may be interpreted as grounds for dismissal or other appropriate disciplinary action.

### **MISUSE OF SICK LEAVE**

Employees who do not comply with these requirements for use of sick leave, including providing insufficient notice of sick leave or using sick leave for non-permitted reasons, may be found to be committing abuse of sick leave which is grounds for discipline, up to and including termination.

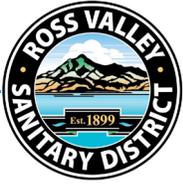
If the employee is required to be absent on sick leave for more than one day, the employee must keep the immediate supervisor informed each day as to the date the employee expects to return to work and the purpose of the leave. Failure to request sick leave as required by this policy without good reason, may result in the employee being treated as absent without leave.

The District reserves the right to take reasonable steps to determine whether an employee is abusing sick leave, including, but not limited to, attempting in-person or electronic communication with an employee using sick leave, identifying and tracking consistent patterns of sick leave use, such as in connection with weekends, holidays, and scheduled days off, and considering relevant evidence that is either publicly available or shared voluntarily by others. In certain circumstances, the District may require a health professional's certification or other relevant documentation certifying that the reason for the employee's absence is a permitted use of sick leave, either as a condition of continuing an employee on sick leave status or as a requirement of returning to work.



### SICK LEAVE INCENTIVE

Unused accumulated sick leave at time of retirement may be converted to additional service credit at the rate of 0.004 year of service credit for each day of unused sick leave (i.e., 250 days of sick leave equals one additional year of service credit).



### POLICY

All regular, full-time employees may be granted leave subject to approval and within the provisions outlined below.

### GENERAL PROVISIONS

The General Manager may grant an employee a leave of absence with or without pay for a period not to exceed six months. Except as stated otherwise in this policy, by law or statute, or MOU, a leave of absence that exceeds six months may be granted by the General Manager only with the approval of the Board of Directors.

A leave of absence may include both paid and unpaid days. An employee will continue to receive benefits as long as the employee is on paid status with the District. An employee who is granted an unpaid leave of absence that exceeds thirty (30) days and who wishes to continue health insurance coverage may do so at his or her expense at the District's group rates, unless otherwise provided for by law. The employee should contact the Administrative Services Manager for the necessary forms.

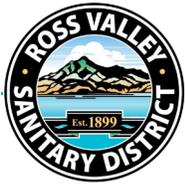
An employee who is on a leave of absence that exceeds thirty (30) days must provide the District with two weeks of notice prior to his or her anticipated return to work date. An employee who requires leave extension should request the extension two weeks before the original leave expires. An extension may or may not be approved. If denied, the employee returns to work on the originally scheduled return date. Failure to return to work on the scheduled workday following the expiration of a leave of absence may result in termination.

Regular merit increases will be delayed for the length of time that an employee is on a leave of absence of three months or more.

### UNPAID LEAVE OF ABSENCE

An unpaid leave of absence may be taken upon written approval from the General Manager and only after all accumulated paid leave time has been exhausted. The General Manager must approve all leave requests in writing that will result in leave without pay. The written request must be made at least ten (10) days in advance of the unpaid leave date and specify the reason for the leave and the length of time requested.

Unless specified otherwise elsewhere in this Policy Book, or Federal or State law dictates otherwise, seniority, vacation, sick leave and holiday benefits do not accrue during periods of unpaid leaves of absence.



No benefits will be accrued during an unpaid leave of absence unless continuation of benefit accrual is required by law. Upon return to work from an authorized leave of absence, the District will make a reasonable effort to reinstate the employee in the same or a similar position.

If an employee is on an unpaid absence or goes on leave without pay, either of which reduces the employee's time in pay status to less than fifty percent (50%) of the employee's regular work schedule in a pay period, the District will cease to pay its normal benefit contributions unless required by law. The employee must pay the total benefit premiums if the employee desires to continue coverage. If an employee is on an unpaid absence or goes on leave without pay, either of which reduces the employee's time in pay status to not less than fifty percent (50%) of the employee's regular schedule in a pay period, the District will continue to pay its normal benefit contributions. If an employee elects to drop medical insurance during a leave, the employee will have to be accepted for reinstatement by the insurance carrier.

The District will continue its normal contributions to the group health plans of employees who take qualifying leave under CFRA (as described below). Employees on unpaid CFRA leave will still be required to pay their share of health insurance premiums.

### **BEREAVEMENT LEAVE**

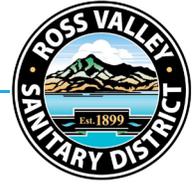
In the event of a death in the immediate family of an employee, the employee may request a paid leave of absence, to be charged to the employee's sick leave account, for up to five working days. For purposes of this section, immediate family includes mother, father, spouse or registered domestic partner, sister, brother, son or daughter, including stepchildren, mother or father-in-law, son or daughter-in-law, brother or sister-in-law, grandparents, grandchildren, the same relatives of a domestic partner, and in-loco parentis relationships.

Bereavement leave in the case of death of other persons may be granted only upon approval of the District.

Employees must receive approval from their supervisor or manager prior to the requested leave and submit a leave request either prior to the requested leave date(s), or within two working days following the employee's return to work.

### **PROTECTED LEAVES**

Federal and State laws and government codes protect and provide policy statements and administrative guidance for many types of leaves. The following section provides the District's policy statement and an introduction to protected leaves. More information about protected leaves can be obtained by speaking to a supervisor or manager or the Administrative Services Manager. Employees may also look up the cited legislation or code referred to for each type of leave below.



Requests for protected leaves should be processed through the Administrative Services Manager and entered in the time control system using the appropriate leave codes. Any questions regarding an employee's rights under a protected leave should be referred to the Administrative Services Manager.

### **FAMILY AND MEDICAL LEAVE ACT (FMLA 29 U.S.C. §2601) AND CALIFORNIA FAMILY RIGHTS ACT (CFRA 2CCR 4.2 §7297)**

Although the District is a public agency and is subject to FMLA and CFRA, the District has fewer than fifty (50) employees and therefore, has no FMLA-eligible employees under the law. Effective January 1, 2021, the District will provide CFRA leave to qualified employees.

#### **Employee Eligibility**

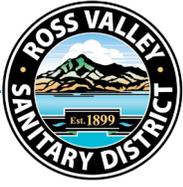
A District employee will be eligible for CFRA leave if:

- (a) The employee has been employed by the District for at least 12 months; and
- (b) The employee has been employed by the District for at least 1,250 hours during the 12-month period immediately preceding the commencement of the leave.

#### **Reasons for Leave**

Leave is only permitted for the reasons listed below.

- (a) The birth of a child or to care for a newborn of an employee; (Gov. Code § 12945.2(c)(3)(A));
- (b) The placement of a child with an employee in connection with the adoption or foster care of a child; (Gov. Code § 12945.2(c)(3)(A));
- (c) Leave to care for a child (including an adult child over 18 years of age), parent, grandparent, grandchild, sibling, spouse or domestic partner who has a serious health condition; (Gov. Code § 12945.2(c)(3)(A) & (B), as amended January 1, 2021 (SB 1383));
- (d) Leave because of a serious health condition that makes the employee unable to perform any one or more essential functions of their position; (Gov. Code § 12945.2(c)(3)(C)); or
- (e) Leave because of a qualifying exigency related to the covered active duty or call to covered active duty of an employee's spouse, registered domestic partner, child, or parent in the United States Armed Forces (Gov. Code § 12945.2(c)(3), as amended January 1, 2021 (SB 1383)).



### **Amount of Leave**

Eligible employees are entitled to a total of 12 workweeks (or 26 workweeks to care for a covered servicemember) of leave during any 12-month period.

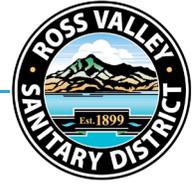
### **Minimum Duration of Leave**

- (a) If leave is requested for the birth, adoption or foster care placement of a child of the employee, leave must be concluded within one year of the birth or placement of the child. In addition, the basic minimum duration of such leave is two weeks. However, an employee is entitled to leave for one of these purposes (e.g. bonding with a newborn) for less than two weeks duration on any two occasions.
- (b) If leave is requested to care for a child, parent, spouse or the employee themselves with a serious health condition, there is no minimum amount of leave that must be taken. However, compliance with the notice and medical certification provisions in this policy is required.

### **Serious Health Condition**

A “serious health condition” means an illness, injury impairment, or physical or mental condition that involves:

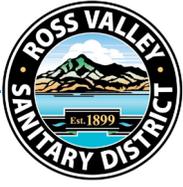
- (a) Inpatient Care in a hospital, hospice, or residential medical care facility, including any period of incapacity (e.g., inability to work or perform other regular daily activities due to the serious health condition, treatment involved, or recovery therefrom). A person is considered “inpatient” when a health care facility admits him or her to the facility with the expectation that he or she will remain at least overnight, even if it later develops that such person can be discharged or transferred to another facility, and does not actually remain overnight; or
- (b) Continuing treatment by a health care provider: A serious health condition involving continuing treatment by a health care provider includes any one or more of the following:
  - a. A period of incapacity (i.e., inability to work, or perform other regular daily activities) due to serious health condition of more than three consecutive calendar days; and
  - b. Any subsequent treatment or period of incapacity relating to the same condition, that also involves:



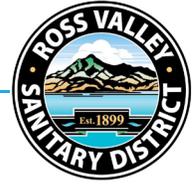
- i. Treatment two or more times by a health care provider, by a nurse or physician's assistant under direct supervision by a health care provider, or by a provider of health care services (e.g., a physical therapist) under orders of, or on referral by a health care provider; or
  - ii. Treatment by 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. This includes, for example, a course of prescription medication or therapy requiring special equipment to resolve or alleviate the health condition. If the medication is over the counter, and can be initiated without a visit to a health care provider, it does not constitute a regimen of continuing treatment
- c. Any period of incapacity or treatment for such incapacity due to a chronic serious health condition. A chronic serious health condition is one which
- i. 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; and
  - ii. Continues over an extended period of time (including recurring episodes of a single underlying condition); and
  - iii. May cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc.). Absences for such incapacity qualify for leave even if the absence lasts only one day.
- d. 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 health care provider
- e. Any period of absence to receive multiple treatments (including any period of recovery therefrom) 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 of more than three consecutive calendar days in the absence of medical intervention or treatment. (29 CFR § 825.113; Gov. Code § 12945.2(c)(8); 2 Cal. Code Regs § 11087(q)(1).)

### **Medical Certification/ Recertification**

Employees who request leave must provide a medical certification and/or recertification to support the need for the leave as described below:



- (a) **Employee’s Own Serious Health Condition:** Employees who request leave for their own serious health condition must provide written certification from the health care provider that contains all of the following: the date, if known, on which the serious health condition commenced; the probable duration of the condition; and a statement that, due to the serious health condition, the employee is unable to work at all or is unable to perform any one or more of the essential functions of his or her position. (Gov. Code § 12945.2(j)(2); 2 Cal. Code Regs § 11087(a)(2); 2 Cal. Code Regs § 11091(b)(2).) Upon expiration of the time period the health care provider originally estimated that the employee needed for his/her own serious health condition, the employee must obtain recertification if additional leave is requested. (Gov. Code § 12945.2(j)(2); 2 Cal. Code Regs § 11091(b)(2); 29 CFR § 825.308.)
- (b) **Family Member Serious Health Condition:** Employees who request leave to care for a child, parent, grandparent, grandchild, sibling, domestic partner or a spouse who has serious health condition must provide written certification from the health care provider of the family member requiring care that contains all of the following: the date, if known, on which the serious health condition commenced; the probable duration of the condition; an estimate of the amount of time which the health care provider believes the employee needs to care for the child, parent, domestic partner, or spouse, and a statement that the serious health condition warrants the participation of the employee to provide care during a period of treatment or supervision of the child, parent or spouse. The term “warrants the participation of the employee” includes, but is not limited to, providing psychological comfort, and arranging third party care for the covered family member, as well as directly providing, or participating in, the medical care. (Gov. Code § 12945.2(k)(1); 2 Cal. Code Regs § 11087(a)(1); 2 Cal. Code Regs § 11091(b)(1).) Upon expiration of the time period the health care provider originally estimated that the employee needed to care for a covered family member, the employer must obtain recertification if additional leave is requested. (Gov. Code § 12945.2(j)(2); 2 Cal. Code Regs § 11091(b)(1); 29 CFR § 825.308.)
- (c) **Qualifying Exigency:** The first time an employee requests leave because of a qualifying exigency, an employee may require the employee to provide a copy of the military member’s active-duty orders or other documentation issued by the military which indicates that the military member is on covered active duty or call to active-duty status in a foreign country, and the dates of the military member’s active-duty service. A copy of the new active-duty orders or similar documentation shall be provided to the District if the need for leave because of a qualifying exigency arises out of a different active duty or call to active-duty status of the same or a different military member. (29 CFR § 825.309.) The District will verify the certification as permitted by the FMLA regulations. (29 CFR § 825.309(d).)



### **Time to Provide a Medical Certification**

When an employee has provided at least thirty (30) days' notice for a foreseeable leave, the employee must provide a medical certification before the leave begins. When this is not possible, the employee must provide the medical certification to the District within the time frame requested by the District (which must allow at least fifteen (15) calendar days after the employer's request), unless it is not practicable under the particular circumstances to do so despite the employee's diligent, good faith efforts. (2 Cal. Code Regs § 11091(b)(3); 29 CFR § 825.305(b).)

### **Consequences for Failure to Provide an Adequate or Timely Certification**

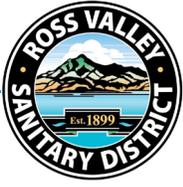
If an employee provides an incomplete medical certification, the employee will be given a reasonable opportunity to cure any such deficiency. (2 Cal. Code Regs § 11091(b)(3); 29 CFR § 825.313(a) & (b).) However, if an employee fails to provide a medical certification within the time frame established in this policy, the District may delay the taking of CFRA leave until required certification is provided, or deny CFRA protections following the expiration of the time period to provide an adequate certification. (2 Cal. Code Regs § 11091(b)(3); 29 CFR § 825.313(a).)

The General Manager will grant family leaves of absence similar to those provided for under Federal and State law and may, at the General Manager's sole discretion, approve a request for family leave in the absence of a legal requirement not to exceed a four-month period.

### **KIN CARE OR HEALTHY WORKPLACES, HEALTHY FAMILIES ACT (CA LABOR CODE §233-234)**

The California Healthy Workplaces Healthy Families Act of 2014 allows employees to use up to one-half of their annual sick leave allowance to care for a "family member." For the purposes of this section, family members are defined as the following:

- Child – a biological, adopted, foster, step, legal ward, or child to whom employee stands in loco parentis. This definition of a child is applicable regardless of age or dependency status restrictions
- Parent – biological, adoptive, foster parent, stepparent, legal guardian, or a person who was in loco parentis when the employee was a minor
- Spouse
- A registered domestic partner
- Grandparent
- Grandchild
- Sibling



### **PREGNANCY DISABILITY LEAVE LAW (GOVERNMENT CODE §12945)**

Employees who are disabled because of pregnancy or childbirth are entitled to unpaid pregnancy disability leave of up to four months in accordance with the California Pregnancy Disability Leave Law. For a full-time employee who works forty (40) hours per week, “four months” means six-hundred ninety-three (693) hours of leave entitlement, based on forty (40) hour week times seventeen and one-third (17 1/3) weeks. An employee who works less than forty (40) hours per week will receive a pro rata or proportional amount of leave. Time off from work because of the employee’s disability due to pregnancy, childbirth or related medical condition is not counted as time used for State family/medical leave.

Absence from work due to pregnancy-related disabilities is treated the same as absence from work due to any other physical disability, and the employee will be required to use any accumulated sick leave during this time. Once sick leave is depleted, the employee may elect to utilize any accrued vacation leave or other accrued leave time off for any portion of the unpaid leave. The District will continue to provide benefits consistent with other provisions of this policy and Federal and State requirements. Sick and vacation leave do not accrue while an employee is on unpaid leave. Seniority will continue to accrue during the pregnancy disability leave.

Requests for pregnancy disability leave under California Pregnancy Disability Leave Law require certification of a treating physician. An employee is “disabled” if, in the opinion of her health care provider, she is unable, due to a pregnancy related disability, to work at all or is unable to perform any one or more of the essential functions of her job or to perform these functions without undue risk to herself, the successful completion of her pregnancy, or to other persons.

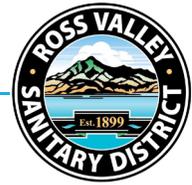
Employees requesting Pregnancy Disability Leave must provide the Administrative Services Manager with certification from a health care provider stating the anticipated delivery date and estimated dates and duration of the disability. If there is a change in medical certification, and the dates are either accelerated or delayed, notification from the health care provider is required.

In the case of a request for reasonable accommodation in the workplace rather than leave of absence, the health care provider’s statement must also verify:

- The date on which the employee became disabled due to pregnancy, childbirth, or related medical condition;
- the probable duration of the period or periods of disability; and
- 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 and the successful completion of her pregnancy.

## POLICY 304: LEAVE OF ABSENCE

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A new statement may be required if the employee requests an extension of time beyond the specified in the original statement. Any changes in the information contained in the health care provider's statement must be promptly reported by the employee to the Administrative Services Manager.

Leave may be taken in less than two week increments or on a reduced work schedule if the employee's health care provider determines that it is medically advisable for the employee to take shorter leave periods. Employees may also take leave for prenatal care appointments and for pregnancy-related illness.

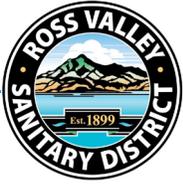
Subject to the terms, conditions, and limitations of the applicable plans, an employee on pregnancy disability leave will continue to receive any group health insurance coverage that the District provided before the leave, beginning on the date the pregnancy disability leave begins and continuing for up to four months in a twelve (12) month period. The District will continue to pay health insurance premiums (and dependent coverage as applicable) at the same level as before the leave began, and in accordance with the requirements of Pregnancy Disability and Family Medical Leave Act. After that time, the employee is responsible for the full costs of these benefits if the employee wishes coverage to continue (see **COBRA Policy**).

The employee retains employee status during the leave. The leave is not a break in service for purposes of longevity or seniority under any collective bargaining agreement or employee benefit plan. Benefits will be resumed upon the employee's reinstatement in the same manner and at the same level as when the leave began, without any new qualification period, physical exam, or other qualifying provisions.

An employee returning from a pregnancy disability leave will be reinstated in the employee's former position at the salary the employee would have received had the employment with the District been continuous, exclusive of step increases/shift assignments. If the employee's original position is no longer available, the employee will be assigned to an open position that is substantially similar in job content, status, pay, promotional opportunities, and geographic location as the employee's original position. An employee who fails to return to work after the termination of the leave loses these reinstatement rights.

Apart from medical disabilities associated with pregnancy and/or childbirth, requests for additional time off will be considered in the same manner as any other request for an unpaid personal leave with the exception of requests that meet the requirements for Family Medical Leave Act/California Family Rights Act, as described in this policy, and consistent with other applicable Federal or State laws.

Sick and vacation time, and holidays do not accrue while an employee is on unpaid pregnancy disability leave.



### **WORKERS' COMPENSATION**

The California Division of Workers' Compensation Laws and Regulations cover all employees. These laws are important if an employee is injured or becomes ill because of work or working conditions.

The Workers' Compensation system provides for coverage of medical treatment and expenses, occupational injury leave, rehabilitation services, as well as payment for lost wages due to work related injuries.

An employee who is injured or becomes ill on the job, no matter how slightly, must report the incident to the supervisor as soon as possible. If an employee does not report promptly, Workers' Compensation insurance benefit rights may be lost. Failure to report an injury within a reasonable period of time could jeopardize a benefit claim.

Employees who are absent from work by reason of an injury or illness covered by Workers' Compensation, shall continue in pay status under the following provisions. The District will grant Workers' Compensation industrial injury leave in accordance with state law if an employee incurs an occupational illness or injury. As an alternative, the District may offer an employee temporary modified work in accordance with state and federal law.

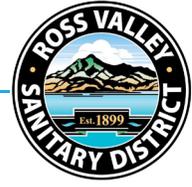
A leave of absence for a work-related industrial injury will be extended to the employee for the duration of the work-related injury. Employees working during the introductory period will be given credit for any portion of the introductory period completed prior to the commencement of the leave of absence. During the time the employee is in fully paid status while absent from work by reason of injury or illness covered by Workers' Compensation, that employee shall continue to accrue sick leave and vacation benefits as though the employee was not on a leave of absence.

An employee returning to work from leave associated with an industrial or work-related injury or illness must provide the District with reasonable notice in advance of release to return. The employee must also provide a health care provider's statement indicating fitness to perform the former duties. An employee returning to work will be returned to the former position, as provided for in this Policy Book and by law.

Employees who are found to abuse or fraudulently use these temporary disability provisions may be subject to disciplinary action up to and including termination of employment

### ***INTEGRATION OF BENEFITS***

Employees who sustain a work-related injury are entitled to receive Workers' Compensation benefits as set out by California law. An employee may choose to supplement Workers' Compensation benefits, from accrued leave balances. The District will integrate the employee's pay with benefits received from either



the Workers' Compensation insurance or short term or long-term disability benefits programs providing that the employee provides a copy of the benefit statement to the District. Responsibility for integration payment amounts is the sole responsibility of the employee.

An employee who has returned to work following an accepted Workers' Compensation injury or illness and is required by the treating physician to leave work for treatment during working hours, will have that time charged to accrued sick leave. Time off work taken on the initial day of injury will be paid for by the District for up to eight hours at the employee's regular rate of pay.

### OTHER PROTECTED LEAVES

The following is a list of other protected leaves provided for by Federal or State law or regulation. For more information about these leaves, please speak to the Administrative Services Manager.

Requests for leave for the purposes of this section should be made at least ten days in advance through the time control system and designated with the appropriate leave code. In the case of extenuating circumstances, notice of leave must be provided as soon as possible by speaking directly with a supervisor or manager. As allowed by law or regulation, approval for leave is required in advance and documentation certifying the nature of the leave may be required by the District.

### **FAMILY SCHOOL PARTNERSHIP ACT AND SCHOOL VISITATION LEAVE (CALIFORNIA LABOR CODE §230.7 & §230.8)**

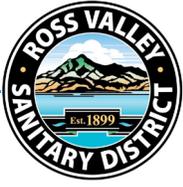
This California law allows parents, grandparents, and guardians to take up to forty (40) hours in any calendar year and no more than eight hours in any calendar month of time off from work to participate in their children's school or childcare activities such as:

- Find, enroll, or reenroll a child in school or with a licensed childcare provider
- Participate in school or childcare activities
- Address a childcare or school emergency
- Respond to a request from a school official or attend a back-to-school night

Employees must provide documentation from the school or licensed childcare provider of proof of engagement in child-related activities.

Employees may use vacation, holiday, or compensatory time accruals during this leave or may take this time as unpaid for a maximum of eight hours per month. Employees without leave accruals must follow the noticing guidelines for approval of leave without pay.

Employees who are the parent or guardian of a child who has been suspended from school will be given time off if requested to appear at the school in connection with that suspension. Notice of leave for this



purpose must be provided to the District as soon as school notification of the suspension is received by the parent/employee.

### **JURY DUTY AND SUBPOENAED WITNESSES (CALIFORNIA LABOR CODE §230)**

Employees called upon for jury duty or subpoenaed as a witness or an expert witness in a case arising in the course of their work or the work of the District will remain in their regular pay status. Employees subpoenaed to appear shall immediately notify the General Manager in writing. Employees working an alternate schedule may supplement daily hours with vacation or compensatory leave. Employees serving jury duty or called as witnesses must return to work if they are released for a half day or more from such duty.

Employees must provide at least ten days of notice in advance of jury duty or witness duty except upon documentation by an officer of the court that such notice was not possible. Employees called to serve as witnesses in private cases or personal matters (all issues other than District business) must take vacation or compensatory leave or leave without pay.

All overtime-eligible employees will be paid for actual work hours missed because of time spent in jury service or court. The time spent on jury duty is not work time for purposes of calculating overtime compensation. The District will offset from pay the amount the employee receives from the Court for jury fees.

All FLSA-exempt employees will continue to receive their normal salary while on jury duty or as serving as a witness only for any work week in which they perform any work duties. The District will offset from this amount, the pay the employee receives from the Court for jury fees.

### **TIME OFF TO VOTE (CALIFORNIA ELECTIONS CODE §14000)**

Employees scheduled to be at work between 7:00 a.m. and 8:00 p.m. on an election day and who do not have sufficient time outside of working hours to vote at a statewide election may take up to two hours off to vote without losing any pay. Employees may take as much time as is required to vote, but only two hours of that time will be paid. Time off for voting must be only at the beginning or end of the work shift, whichever allows the greatest amount of free time for voting and the least time off from an employee's regular work shift, unless other arrangements are made with the applicable supervisor or manager. Employees must notify the District at least two workdays prior to the election if such time is needed to vote.



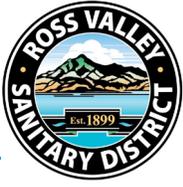
### **WORKPLACE RELIGIOUS FREEDOM ACT OF 2012**

#### **(CALIFORNIA GOVERNMENT CODE §12926 AND §12940)**

This act provides protections for religious dress, grooming, and attendance at religious events.

### **ARMED FORCES**

There are many Federal and State laws that provide for leave for members of the Armed Forces and their families during times such as pre-deployment and post-deployment, injury, illness, and other events. Military leave and benefits will be granted in accordance with the provisions of Federal and State law, including California Military and Veterans' Code, §395 through §395.3 and Federal law, Chapter 43 of Part III, Title 38 of the United States Code, §2021(a) et seq. Military leave applies to active duty, inactive duty, reserve, and veteran status and duties, as well as the National Guard, Merchant Marine, and Coast Guard. For more information about the leaves and protections for Armed Forces, contact the Administrative Service Manager.



## POLICY 305: TRAVEL AND OTHER EXPENSE REIMBURSEMENT POLICY

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### POLICY

The District will ensure that its Board members and other employees adhere to the principles of fiscally responsible expenditure of public funds. Reimbursement will be made only for legitimate out-of-pocket expenditures/expenses incurred while conducting official District business in compliance with IRS regulations and this policy.

This policy provides appropriate and necessary parameters to all employees on the use and expenditures of District resources, as well as the standards against which those expenditures will be measured.

### DEFINITIONS

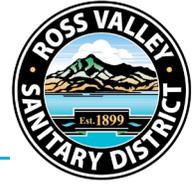
For the purposes of this section, the following definitions apply:

- **Employee:** Any person on the District's payroll, including elected Board Members.
- **Travel Expense Reimbursement Form:** A District form that must be completed for travel advance or expense reimbursement of out-of-pocket expenses incurred related to official District business.
- **Itemized Receipt:** A credible, detailed receipt that includes the name of the business, date of the transaction, all items purchased, price per item and total cost.
- **Manager:** Manager refers to the positions of Administrative Services Manager, Operations and Maintenance Manager, or General Manager. In the case of expenditures specifically made by the General Manager or member(s) of the Board of Directors, the term "manager" may be assumed to refer to a range of oversight activities which ensure that expenditures are consistent with authorizing action taken by the Board of Directors for either a specific expenditure request or an overall plan of expenditure.
- **Meals:** Meals incurred due to travel or for irregular circumstances encountered on District business.
- **Mileage Reimbursement:** Mileage for employees using their own vehicle for District business.
- **Petty Cash:** Reimbursements within prescribed amounts that are processed within three business days of receipt.
- **Reimbursable Expenses:** Costs incurred while conducting official District business that can be reimbursed including travel-related expenses, food and beverage for special meetings, supplies for training, and small tools and equipment.
- **Special Meeting:** Any meeting that is not a regularly scheduled meeting. Examples of a special meeting include non-routine training, meeting with consultants that cannot be scheduled at another time, non-routine team meeting, etc.

# POLICY 305: TRAVEL AND OTHER EXPENSE

## REIMBURSEMENT POLICY

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### TAXABILITY OF REIMBURSEMENTS

It is the employee's responsibility to understand the Internal Revenue Service (IRS) Tax Code as it applies to business-related expenses and reimbursements. Information on reimbursements for business-related expenses can be found in IRS Publication 463. The most current version of this publication can be found on the IRS web site at [www.irs.gov](http://www.irs.gov). If an employee is uncertain on this matter, it may be appropriate to obtain the advice of a tax professional.

### DUTIES AND RESPONSIBILITIES

#### ALL EMPLOYEES, INCLUDING DISTRICT BOARD MEMBERS

Employees including District Board Members are to exercise good judgment in the expenditure of public funds. All employees including District Board Members are responsible to know and follow this policy.

#### FOR NON-TRAVEL-RELATED EXPENSES

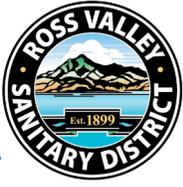
##### ***EMPLOYEES AND BOARD MEMBERS ARE RESPONSIBLE FOR:***

- Obtaining pre-approval for the expense from their Manager.
- Completing the ***Check Request Form***, attaching itemized receipts, and obtaining their manager's approval.
- Submitting the completed and approved ***Check Request Form*** to the Finance Department for reimbursement within thirty (30) days of incurring the expense.

#### FOR TRAVEL-RELATED EXPENSES

##### ***EMPLOYEES AND BOARD MEMBERS ARE RESPONSIBLE FOR:***

- Prior to travel, completing the ***Travel/Training Request Form*** and obtaining approval of travel plans from their manager as soon as possible before the travel is required, so the best fees and fares available can be secured.
- Working with management to review travel plans to determine which are most appropriate.
- Planning schedule to minimize impacts to the District.
- Obtaining prior approval when there is a deviation from the approved reservations.
- Keeping accurate records of expenditures while traveling, including itemized receipts.
- Completing the ***Travel Expense Reimbursement Form***, attaching itemized receipts, and obtaining their manager's approval.
- Submitting the completed and approved ***Travel Expense Reimbursement Form*** to the Finance Department for reimbursement within thirty (30) days of incurring the travel-related expense.



## POLICY 305: TRAVEL AND OTHER EXPENSE REIMBURSEMENT POLICY

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### ***SUPERVISORS ARE RESPONSIBLE FOR:***

- Ensuring employees are aware of this policy by making it easily available in the workplace and through employee-accessible electronic means.
- Helping to plan employees' schedules to minimize impacts to the District.
- Examining submitted ***Travel Expense Reimbursement Forms*** to ensure completeness and that all required documentation is attached.

### ***MANAGERS ARE RESPONSIBLE FOR:***

- Ensuring employees are aware of this policy by making it easily available in the workplace and through employee-accessible electronic means.
- Reviewing, then approving or denying, any deviation from this policy.
- Reviewing ***Travel Expense Reimbursement Form*** and any other requests related reimbursable expenditures to determine appropriateness of the expenditure.
- Helping to plan employees' schedules to minimize impacts to the District.
- Examining submitted ***Travel Expense Reimbursement Forms*** to ensure completeness and that all required documentation is attached.
- Approving or denying employees' ***Travel Expense Reimbursement Forms*** in a timely manner.

### ***THE FINANCE DEPARTMENT IS RESPONSIBLE FOR:***

- Reviewing ***Travel Expense Reimbursement Forms*** for completeness and compliance with this policy
- Processing payments for reimbursements using appropriate accounting methods.

## **DISTRICT EXPENSES AND EXPENSE REIMBURSEMENTS**

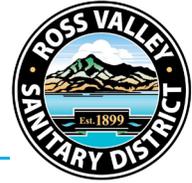
The District will directly pay the costs associated with conducting its business. If an employee finds it necessary to incur reimbursable expenses on the District's behalf, it is preferred that employees first utilize their District credit card (if applicable) and then a personal credit card or other personal funds. Reimbursement may be obtained by filing the ***Travel Expense Reimbursement Form*** or ***Check Request Form*** (for expenses unrelated to travel) and attaching all itemized receipts. Reimbursements for less than \$50.00 may be made from petty cash.

Reimbursable expenses must be beneficial to the District and have a public interest and purpose resulting, or tending to result, in an increased efficiency in sanitary sewer district administration and a more complete understanding of the operations of the District. For types of reimbursable training and/or educational expenses, please refer to the ***Professional Development and Certification Policy*** in this Policy Book.

# POLICY 305: TRAVEL AND OTHER EXPENSE

## REIMBURSEMENT POLICY

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A manager has the authority to approve or deny requests for training/travel submitted via the **Travel/Training Request Forms**; and to approve or deny any other approval requests related reimbursable expenditures.

Budgetary approval should be obtained from a manager for all travel of more than one day, utilizing the **Travel/Training Request Form** along with an estimate of costs.

### OUT OF STATE TRAVEL

Out of state travel must be approved in advance by the General Manager or designee.

### EXPENSE REPORTING

A **Travel Expense Reimbursement Form** must be filed within thirty (30) days of return from authorized travel. A copy of the appropriate documentation describing the seminar or conference is to be attached to the **Travel Expense Reimbursement Form**.

If there are eligible expenses incurred where a receipt is not provided or if a receipt is lost, an **Affidavit of Lost or Unavailable Receipt** can be filled out to serve as a replacement. However, an **Affidavit of Lost or Unavailable Receipt** is to be used only in unusual situations. Any amounts due to the employee will be paid on the regular warrant list or through petty cash if under fifty dollars (\$50.00).

The Administrative Services Manager or designee may disallow any item of expense reimbursement if it appears improper, is not in compliance with this policy, or is unsupported by appropriate documentation. Disputes related to expense and/or travel reimbursements will be settled by the General Manager and his or her decision is final.

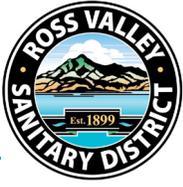
### PETTY CASH REIMBURSEMENTS

Expenses associated with attendance at seminars, conferences, training, and workshops can be reimbursed from petty cash up to fifty dollars (\$50.00). Documentation should be attached to the **Travel Expense Reimbursement Form** for expenses claimed, such as meals, parking and toll receipts, as well as a copy of the agenda or training schedule for the event attended.

### TIMEKEEPING DURING TRAVEL

The District will compensate eligible employees for reasonable time spent in travel in accordance with the Fair Labor Standards Act.

Where the District directs attendance and participation, a non-exempt employee will be paid for necessary travel time and attendance at work-related meetings or trainings. When travel is necessary for work, travel time is considered work time. However, the employee's normal commute between home and work is generally not compensable. If a non-exempt employee is required to travel to a work location that



## POLICY 305: TRAVEL AND OTHER EXPENSE REIMBURSEMENT POLICY

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is different from the employee's regular work location, then the excess difference in time between the employee's normal commute and the new location is compensable.

Travel during the workday, after the employee has reported to work, is compensable for overtime-eligible employees, unless it is in connection with a bona fide meal break.

Overnight travel for District business is compensable time when it cuts across the employee's regular work hours, regardless of which day of the week the travel occurs. For such overnight travel, employee mealtime and free time outside normal business hours is not compensable time. Travel time to and from the airport or departure point for other public transportation for out-of-town travel (such as time on an airplane) is not compensable time.

For District employees who are required to drive themselves or others for District business, all driving time is compensable, regardless of the hours during which the driving occurs.

### TRANSPORTATION

The employee and his or her manager are expected to consult together to determine the most cost-effective and efficient method of transportation.

### COMMERCIAL TRANSPORTATION

Commercial transportation should be arranged, if possible, through the District's Administrative Services Department and will typically be paid for using the District's credit card. If an employee makes his or her own travel arrangements, the District will reimburse commercial transportation expenses for a coach class or equivalent fare and will not reimburse for business or first-class fares. The cost of trip protection insurance for airline flights will not be reimbursed.

### DISTRICT VEHICLE

A manager must approve use of a District vehicle in advance. All employees who use District vehicles must have a copy of a current driver's license on file at all times. It is the responsibility of the employee to ensure the license on file is current. See ***Policy 403 Vehicle Use / Driving on District Business***.

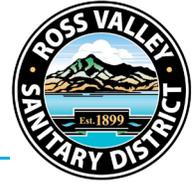
### PRIVATE VEHICLE

Use of an employee's private vehicle requires approval by the manager prior to the conference. Approval will be evidenced by the completion of the ***Authorization to Use Privately-Owned Vehicles on District Business Form***. Travel will be reimbursed for mileage from door-to-door at the mileage rate in accordance with the current IRS authorized rate. Door-to-door means that mileage will be paid from the point (either home or District office) from which the employee travels to and from the conference. The mileage rate does not include parking lot fees. Parking lot receipts must accompany a request for reimbursement. If

# POLICY 305: TRAVEL AND OTHER EXPENSE

## REIMBURSEMENT POLICY

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more than one employee attends a conference by private automobile, the reimbursement will be provided to the vehicle owner. In no event will the District reimburse mileage expenses to more than one employee per vehicle.

The mileage rate constitutes full payment to the employee for travel by personal automobile. The District is not responsible for losses to the employee's automobile. In the event of any liability claim against the employee, the employee's own insurance shall assume the liability. Any moving or stationary citations are the responsibility of the employee.

### RENTAL VEHICLES

Rental vehicles may be authorized for use by an employee during District-related travel. When using a rental car, physical damage insurance coverage should be purchased from the rental agency. Liability insurance coverage should be waived.

### OVERNIGHT TRAVEL

Non-exempt employees traveling and staying overnight are normally authorized to work only the total number of hours they were regularly scheduled to work, exclusive of applicable travel time. However, all employees traveling and staying overnight are considered by the District to be on flexible schedules. During flexible schedules, employees' starting times, meal period, rest periods, etc. may be adjusted in order to accomplish work without incurring overtime.

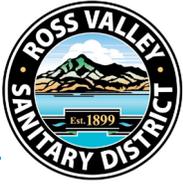
### LODGING

Overnight stays will be authorized if an event requires an extraordinarily long workday or if the event occurs over multiple days and is more than fifty (50) miles from home or work. For the purpose of this section, an extraordinarily long workday is one that exceeds twelve (12) hours, including travel time. A maximum of one-night stay for every day of the conference is allowed. The allowable hotel expense is the cost of the conference hotel or less, or the nearest "reasonable" accommodations. Government rates should be requested (employee must bring their District ID card). Overtime for work that includes overnight stays will be computed in accordance with Federal and State law.

Lodging will be reserved by using the District credit card and charged to the District credit card if hotel policy permits. However, the employee must check out using their personal card for incidental expenses. Appropriate hotel expenses will be reimbursed via the ***Travel Expense Reimbursement Form***.

### MEALS

The District follows Internal Revenue Service (IRS) guidance to determine per diem meal reimbursement limits. The meal reimbursement schedule can be found on the U.S. General Services Administration (GSA)



## POLICY 305: TRAVEL AND OTHER EXPENSE REIMBURSEMENT POLICY

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website at <https://www.gsa.gov/travel/plan-book/per-diem-rates>. Rates are updated on October 1 each year.

The District will pay only the actual cost of meals up to the GSA maximum published per diem meal reimbursement limit. Costs exceeding the limits will be borne by the employee. Only itemized receipts for meals will be accepted/considered for reimbursement. Hotel bills itemizing room charges for meals are not considered itemized receipts. A separate receipt itemizing eligible food expenses is required.

It is expected that employees will use good judgment in the request for per diem meal reimbursement. The District will not reimburse for alcoholic beverages.

### **ADVANCE PER DIEM**

The District may advance per diem to employees to minimize an employee's reimbursable out-of-pocket expenditures. Advance reimbursement for meals and general expenses when attending meetings, conventions, and similar group conferences will equal the amounts represented for the location and period on the U.S. General Services Administration (GSA) website at <https://www.gsa.gov/travel/plan-book/per-diem-rates>. Information is updated on October 1 each year. A per diem advance must be requested using the **Travel/Training Request Form** and will be issued prior to the conference, seminar, training, or workshop.

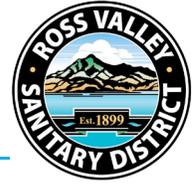
Advance per diem requests must be submitted a minimum of two weeks prior to attendance. If per diem is not requested in advance of travel, the employee must submit receipts for travel-related expense reimbursement.

### **TELEPHONE AND INTERNET CHARGES**

Employees traveling on District business should utilize their District issued cellular telephone for all work-related communication. If the employee does not have a District issued cellular telephone, the District will reimburse the actual cost of calls made from personal phones with the submission of a copy of the phone bill showing the actual charges. Hotel phone charges for calls made to conduct District business using a hotel phone will be the hotel statement. Reasonable hotel Internet access charges are allowed for employees who are required by the District to access District email or computer system.

# POLICY 305: TRAVEL AND OTHER EXPENSE

## REIMBURSEMENT POLICY



### APPROVED AND NON-APPROVED EXPENSES WHILE ON TRAVEL STATUS

Expenses not listed as approved for reimbursement below will be reimbursed at the discretion of the General Manager or designee.

<u>Approved for Reimbursement</u>	<u>Not Approved for Reimbursement</u>	<u>Discretionary Items for Reimbursement</u>
<ul style="list-style-type: none"> <li>▪ Registration</li> <li>▪ Lodging</li> <li>▪ Transportation/Mileage</li> <li>▪ Meals</li> <li>▪ Receipted Parking Fees</li> <li>▪ Official Phone Calls</li> <li>▪ Daily Internet Service Charges</li> <li>▪ Bridge Tolls</li> <li>▪ Hotel Parking</li> <li>▪ Airport/Shuttle Parking</li> </ul>	<ul style="list-style-type: none"> <li>▪ Dry Cleaning/Laundry</li> <li>▪ Alcoholic Beverages</li> <li>▪ Entertainment</li> <li>▪ In-Room Movies</li> <li>▪ Recreation</li> <li>▪ Clothing</li> <li>▪ Lost Luggage Replacement</li> </ul>	<ul style="list-style-type: none"> <li>▪ Reasonable Baggage Charges</li> </ul>

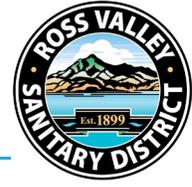
### TRAVEL AND EXPENSE FORMS

The following forms are located on the District’s Intranet:

- ***Travel/Training Request***
- ***Travel Per Diem Request***
- ***Travel Expense Reimbursement***
- ***Check Request Form***
- ***Affidavit of Lost or Unavailable Receipt***
- ***Authorization to Use Privately-Owned Vehicles on District Business***

# POLICY 306: PROFESSIONAL DEVELOPMENT AND CERTIFICATION

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## PURPOSE

The purpose of this policy is to provide guidelines for administering training, professional certifications, and individual staff career development at the District.

## POLICY

The District recognizes the value of a trained, professionally certified, and competent work force in meeting its public service mission. The District encourages and supports employees in professional development activities related to their employment. The District provides equal opportunity for all staff to participate in training, professional certifications, and career development. The District incorporates competency-based training and certification principles where applicable.

## DUTIES AND RESPONSIBILITIES

The following describe the duties of each District employment level:

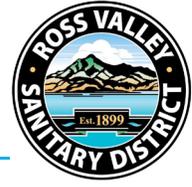
- **Managers** are responsible for the development of the annual training plan, as members of the Training Committee. Management is responsible for identifying and providing opportunities for professional development and training to staff. Managers have the final approval for budgeting and providing time for professional development and training opportunities.
- **Supervisors** are responsible for assessing and communicating training, professional certifications, and individual staff career development needs of individual employees in their direct reporting line. Supervisors are also responsible for working with their direct reports to identify, plan for, and integrate these activities into the individual's annual performance goals.
- **Employees** are responsible for assessing their job-related skills and knowledge, for maintaining a high level of performance throughout their employment at the District, engaging in their development plans in partnership with their supervisor(s), participating in the designated training events and for seeking approval for appropriate professional development and training opportunities in consultation with their supervisors. Employees act as the primary source of feedback for all training events.

## DEFINITIONS

- **Training** - Learning undertaken by employees to develop, maintain, and advance their skills, knowledge and competencies, specifically as these relate to their job classification's duties and responsibilities.
- **Trained** - An employee is considered trained when instruction is given either on the job, in the classroom, or a combination of both, accomplished in concert with or followed by successful demonstration of the acquired knowledge or skill.

# POLICY 306: PROFESSIONAL DEVELOPMENT AND CERTIFICATION

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- **Professional Certification** - an independently issued certification of technical competency, typically required for specific job classification skill sets. Examples include CWEA Collection Systems Operator certifications, NAASCO certifications, Certified Public Accountant, Professional Engineer License, and California Drivers Licenses Classes A/B.
- **Assessment** -- the act of assessing; appraisal; evaluation of specific task, series of tasks, or knowledge.
- **Professional Development** -- professional development refers to activities undertaken by employees, typically at their own initiative, to maintain and advance their skills, knowledge and competencies as they relate and add value to their personal professional goals. Professional development may be achieved through participation in formal coursework, professional experience, collaboration, mentoring, participation in activities of professional organizations, and independent study and research.

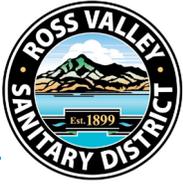
## TYPES OF TRAINING

There are many different types of training and certification available to employees. For the purpose of management's planning and assessing employee training needs, the following four types of training are defined:

- **Compliance Training** refers to the process of educating employees on laws, regulations and company policies that apply to their day-to-day job responsibilities and can include either Soft Skills, Technical, or Safety training.
- **Soft Skills Development/Training** includes topics such as the prevention of harassment and bullying, ethics, oral and written communication, interpersonal relations, conflict management, teamwork, and leadership skills.
- **Technical Training** involves learning how to safely and effectively perform the technical components of a job. This type of training may include topics like equipment operation/maintenance, underground locating, trenchless pipe repair, forklift certification, Class A license renewal, pump maintenance, and computer software/information systems.
- **Safety Training** is performed to educate employees in safe work practices and to promote safe and healthy working conditions for employees. The District will provide both compliance and best practice safety training in the field of occupational safety and health.

## APPROVAL OF WORK HOURS FOR TRAINING AND PROFESSIONAL DEVELOPMENT

Supervisors will plan for appropriate professional development and training activities that occur during the workday in coordination with their respective manager. Professional development and training activities that require time away from the District or workgroup must receive manager-level approval. Professional development and training activities outside of or in addition to regular work hours require



## POLICY 306: PROFESSIONAL DEVELOPMENT AND CERTIFICATION

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written approval in advance if the activities are to be considered as regular hours worked for overtime compensation

### PROCEDURES

The District has established procedures for reimbursement of the cost of training, professional certifications, and career development.

### PROFESSIONAL CERTIFICATIONS AND LICENSES

When certificates or licenses are required for a position, the employee is responsible for the original cost of obtaining the certificate. The District will reimburse the employee for the cost of renewing the certificate or license. For example, the District will provide reimbursement for employees who renew/maintain their required Class A and/or B Drivers Licenses.

### CAREER DEVELOPMENT EDUCATION REIMBURSEMENT

The District may reimburse the cost of tuition, enrollment fees and books for courses that employees take at accredited institutions. These courses must be pre-approved by the Manager and General Manager and must provide increased competence in the employee's present job or prepare them for advancement in the District.

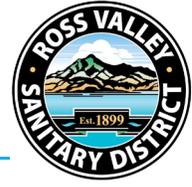
The maximum funding for any employee during a fiscal year is two thousand dollars (\$2,000). The maximum reimbursement to any one employee will not exceed seven thousand five hundred dollars (\$7,500) during a ten-year period. Funds will be budgeted annually to fund the educational reimbursement program. If the budget is depleted, employee requests will be denied.

To qualify for reimbursement, an employee must be employed by the District at the time the course is completed. If an employee leaves the District within one year of reimbursement, the allowance will be prorated based on number of months employed during that year and collected from the employee by deducting from their last paycheck upon separation. Should an employee separate during enrollment because of reduction in force or elimination of the job or is unable to complete the course because of any other action initiated by the District, he or she will be reimbursed for all costs incurred up to the date of separation.

Class attendance and completion of study assignments must be accomplished outside the employee's regular working hours. Employees must receive a passing grade (grade point average of 2.5 or better or pass if a pass/fail course) as well as satisfactory job performance during enrollment or educational reimbursement will be forfeited.

# POLICY 306: PROFESSIONAL DEVELOPMENT AND CERTIFICATION

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## SEMINARS AND WORKSHOPS

The District may, at its expense, elect to send employees to approved training programs, seminars and/or conferences from time to time. While these programs are normally scheduled during regular work hours, there may be evening or weekend classes or activities. In the event that the program requires overnight accommodations, overtime will not be paid for any portion of these programs. A non-exempt employee attending a District paid one-day meeting will be paid for any overtime hours incurred for traveling on that day.

Employees requesting approval to attend a seminar must make written request, including estimated expenses. The request should be submitted to a department manager for approval. Procedures to request and obtain reimbursements under this policy section can be found in the District's ***Travel and Other Expense Reimbursement Policy***.

## PROFESSIONAL ASSOCIATIONS AND TECHNICAL GROUPS

The District supports and encourages its employees to join and participate in appropriate professional associations and technical groups. With prior approval, the District will allow the employee to attend related events at District expense for standard reimbursable expenses, and on District time. However, the District will not pay overtime for any time participating in professional associations and technical groups after regularly scheduled work hours.

## OVERTIME PAY FOR TRAINING AND PROFESSIONAL CERTIFICATIONS

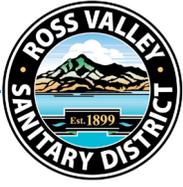
Overtime pay will be authorized in accordance with applicable laws and MOU. Overtime must be preapproved by a manager who will specifically note and grant authorization in the time control system.

## FLEXIBLE SCHEDULES FOR PROFESSIONAL DEVELOPMENT

Employees who request approval to attend classes or trainings under this policy that are scheduled outside of their regular work schedule must be willing to flex regularly scheduled hours to minimize overtime to the District and to accommodate training, meeting, and workshop schedule. For example, if an employee whose regular work day begins at 6:00am and ends at 2:30pm has a four-hour training scheduled from noon to 4:30pm, the employee would begin their workday at 8:00am on that day of training to minimize overtime. The adjusting of regular work hours for this purpose must be approved in advance by the employee's supervisor.

## REQUESTING AND OBTAINING REIMBURSEMENTS

Procedures to request and obtain reimbursements under this policy section can be found in the District's ***Travel and Other Expense Reimbursement Policy***.



### POLICY

The District strives to offer generous benefit plans to all regular employees. Health, dental, and vision plans offered by the District will meet or exceed Federal or State minimum requirements. The District provides additional insurance benefits to include life insurance, short term disability, and long-term disability.

#### HEALTH, DENTAL AND VISION CARE

The District offers the Public Employees Retirement System (PERS) Medical Insurance Program, Delta Dental, and Vision Service Plans.

#### MEDICAL INSURANCE PAYMENT IN-LIEU

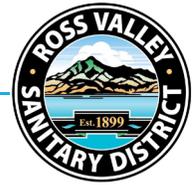
Employees may apply in writing to the District for waiver of required participation in the District's medical insurance program and to receive a payment in-lieu of medical insurance coverage. The in-lieu opt out payment amount is based on the least expensive insurance rate monthly premium for the employee only. To be eligible to opt out of the District's medical insurance and receive a payment, the employee must provide proof of current equivalent coverage through other sources which the District deems acceptable. The payment in-lieu of District medical insurance amount will be paid as a taxable cash benefit. Employees enrolled in the District's medical insurance coverage will not receive any waiver payment.

#### COBRA RIGHTS

The Consolidated Omnibus Budget Reconciliation Act (COBRA) provides the opportunity for eligible employees and their spouse and dependents to continue health insurance coverage under the District's health plan when a "qualifying event" could result in the loss of eligibility. Qualifying events include resignation, termination of employment, death of an employee, reduction in hours, a leave of absence, divorce or legal separation, entitlement to Medicare or when a dependent child no longer meets eligibility requirements. Under COBRA, the eligible employee or beneficiary pays the full cost of coverage at the District's group rates plus an administrative services fee. Contact the Administrative Services Manager to learn more about applicable COBRA rights.

#### LIFE INSURANCE

The District maintains life insurance at no cost to the employee. Plan documents are on file with the District's Human Resources office and benefit levels are subject to change by resolution or contractual agreement.



### **SHORT-TERM/LONG-TERM DISABILITY COVERAGE**

The District provides short-term disability insurance at no cost to the employee. Short-term disability insurance plan documents are on file with the District's Human Resources office and benefit levels are subject to change by resolution or contractual agreement.

The District provides long-term disability insurance at no cost to the employee. Long-term disability insurance plan documents are on file with the District's Human Resources office and benefit levels are subject to change by resolution or contractual agreement.

To the extent permitted by contract or law, short term and long-term disability insurance coverages will be integrated with Workers' Compensation or sick leave benefits received by the employee.

### **EMPLOYEE ASSISTANCE PROGRAM (EAP)**

The Employee Assistance Program (EAP) is a benefit provided at the District's expense to all employees of the District. The program is designed to provide assessment, referral and counseling in a confidential and professional environment.

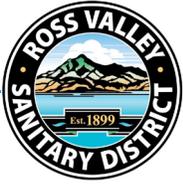
An EAP counselor may recommend referral to other health care providers and will discuss with each employee the coverage for services afforded under the employee's individual health care plan. The employee is solely responsible for any costs incurred as the result of such referrals and should consult with their health care provider to determine the coverage available to them or their family members.

All services provided by the Employee Assistance Program are strictly confidential and will not be disclosed to the District. Subject to the appointment limitations of the plan, the EAP is available to both the employee and eligible dependents.

The department manager may refer an employee to the Employee Assistance Program. The employee will be encouraged to sign a release to notify the District that the appointment was made and kept. No other information will be disclosed to the District without the employee's written consent.

### **WELLNESS PROGRAM**

Since its adoption in 2010, the Federal Affordable Care Act has specifically recognized the importance of employer engagement in promoting employee health and reducing risks of chronic disease or injury. Consistent with this important public policy, the District offers a voluntary wellness program, consisting of an annual reimbursement set by resolution of the Board of Directors per fiscal year for an employee's wellness-related expenditures. Reimbursement may be made for a range of programs intended to improve and promote employee health and fitness, including gym memberships, smoking cessation, diabetes management, weight loss programs, and preventative health



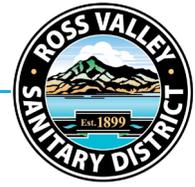
## POLICY 307: HEALTH AND INSURANCE

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screenings. Employees must submit all requests for reimbursement no later than July 31 for expenses incurred during the preceding fiscal year (July 1 through June 30). Employees may also be required to submit supporting information demonstrating that the content of the program promotes health and/or reduces risks of chronic disease or injury. The General Manager's approval or denial of any reimbursement request will be made in writing and is final.

## SECTION 4: RULES AND REGULATIONS





## INTRODUCTION

The District is committed to protecting the safety, health and well-being of those receiving District services, all employees and other individuals in our workplace. We recognize that alcohol and drug abuse pose a significant threat to these goals. We have established a program that balances our respect for individuals with the need to maintain an environment free of alcohol and drug abuse.

## PURPOSE

This policy provides guidelines for the detection and deterrence of alcohol and drug abuse. It also outlines the responsibilities of the District's managers and employees. To that end, the District will act to mitigate the impact of an employee's abuse of any substance (alcohol, illegal drugs, prescription drugs, or any other controlled substance, as defined by the Controlled Substances Act) that could impair the employee's ability to safely and effectively perform the functions of an employee's job, or which increases the potential for accidents, absenteeism, substandard performance, poor employee morale or damage to the District's reputation. All persons covered by this policy should be aware that violations of the policy may result in discipline, up to and including termination. Whenever possible, the District will give preference to rehabilitation over discipline when responding to an employee's substance abuse.

## POLICY

### APPLICABILITY

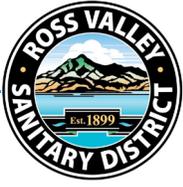
Our drug-free workplace policy is intended to apply whenever anyone is representing or conducting business for the organization. Therefore, this policy applies to employees during their regular working hours, whenever an employee is conducting business or representing the District, when an employee is on call or on paid standby, or when an employee is on District property. Our policy covers, but is not limited to managers, supervisors, regular full-time employees, regular part-time employees whether on or off-site, and contractors.

### PROHIBITED BEHAVIOR

At all times that this policy is applicable, the use, distribution, dispensing, possession, or manufacture of any alcohol, illegal drugs, prescription drugs, or any other controlled substances is prohibited unless specifically authorized by the District. Law enforcement will be notified, as appropriate, where criminal activity is suspected.

Use of illegal drugs is always prohibited. The illegal or unauthorized use of prescription drugs is always prohibited. Consumption of alcohol is prohibited.

Prescription and over-the-counter drugs are not prohibited when taken in standard dosage and/or according to a physician's prescription. Any employee taking prescribed or over-the-counter medications will be responsible for consulting the prescribing physician and/or pharmacist to ascertain whether the



## POLICY 401: DRUG FREE WORKPLACE

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medication may interfere with safe performance of his or her job. If the use of a medication could compromise the safety of the employee, fellow employees or the public, it is the employee's responsibility to notify his or her supervisor. An employee is not required to disclose the nature of his or her medical condition, or to identify the medication he or she is taking, but must clearly indicate effects, such as impaired alertness, balance impairment, warnings about operation of machinery, etc. Failure of an employee to notify a supervisor of his or her use of any medication that may interfere with his or her work performance may result in discipline, up to and including termination. In the event there is a question regarding an employee's ability to safely and effectively perform assigned duties while using such medications or drugs, clearance from a qualified physician may be required by the General Manager or his or her designee. Such clearance may be obtained by the employee on District time and at District expense if the employee is directed to obtain the verification prior to commencing his or her assigned duties. Use of District time must be reasonable, and no overtime liability will be incurred. If a physician does not release an employee to work while taking medication or if an employee requires modified duty, the District will engage in the interactive process with the employee to identify an alternate work assignment, appropriate use of leave, or other form of temporary or permanent reasonable accommodation.

### ASSISTANCE

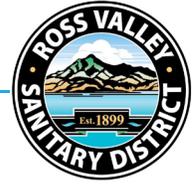
The District recognizes that alcohol and drug abuse and addiction are treatable illnesses. We also realize that early intervention and support improve the success of rehabilitation. To support our employees, our drug-free workplace policy:

- Encourages employees to seek help if they are concerned that they or their family members may have a drug and/or alcohol problem.
- Offers all employees and their family members assistance with alcohol and drug problems through the Employee Assistance Program (EAP). EAP has information about: (a) the dangers of drug or alcohol abuse in the workplace; (b) the penalties that may be imposed for drug or alcohol abuse violations; (c) the District's policy of maintaining a drug- and alcohol-free workplace; and (d) any available drug or alcohol counseling, rehabilitation or employee assistance programs.
- Allows the use of accrued paid leave while seeking treatment for alcohol and other drug problems.
- May cover treatment for alcoholism and/or drug use through the employee benefit plan. However, the ultimate financial responsibility for recommended treatment belongs to the employee.

### COMMUNICATION

Communicating our drug-free workplace policy to both supervisors and employees is critical to our success. To ensure all employees are aware of their role in supporting our drug-free workplace program:

- All employees will receive a written copy of the policy.



- The policy will be reviewed in orientation sessions with new employees.
- Supervisors will receive training to recognize employees with alcohol and other drug problems.

### DRUG AND ALCOHOL TESTING

The District may require pre-employment drug testing prior to hire and drug testing of employees and other personnel, as described in the section on Applicability earlier in this policy, upon reasonable suspicion. Except as may be required by the DOT for specific safety-sensitive positions or agreed in a last-chance return-to-work agreement with an individual employee, the District will not conduct random drug testing.

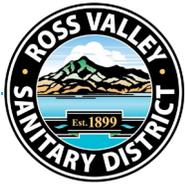
### REASONABLE SUSPICION TESTING

All employees will be subject to reasonable suspicion testing (also known as probable cause testing) when there are reasons to believe that drug or alcohol use is adversely affecting job performance, or the employee has violated the District's alcohol or drug prohibitions. "Reasonable suspicion" to test exists if, based on objective factors, a reasonable person would believe that the employee is under the influence of drugs or alcohol at work. Examples of objective factors, include, but are not limited to: unusual behavior, slurred or altered speech, body odor, red or watery eyes, unkempt appearance, unsteady gait, lack of coordination, sleeping on the job, a pattern of abnormal or erratic behavior, a verbal or physical altercation, puncture marks or sores on skin, runny nose, dry mouth, dilated or constricted pupils, agitation, hostility, confused or incoherent behavior, paranoia, euphoria, disorientation, inappropriate wearing of sunglasses, tremors, or other evidence of recent drug or alcohol use. A reasonable suspicion referral for testing will be made based on documented objective facts and circumstances that are consistent with short-term effects of substance abuse. Persons designated to determine whether reasonable suspicion exists must have training to detect and document the physical, behavioral, speech, and performance indicators of intoxication and use of controlled substances.

All testing, sample collection procedures, analysis methods relative to substances evaluated and cutoff limits, and reporting of test results will be performed by a qualified and objective third-party administrator (TPA), which will adhere to and follow the guidelines (and all subsequent amendments for workplace drug testing as established by the U.S. Department of Health and Human Services Substance Abuse and Mental Health Services Administration (SAMHSA). The TPA will use a laboratory certified by SAMHSA to perform all analyses of samples, and a medical review officer (MRO) qualified according to SAMHSA standards.

### MEDICAL EXAMINATION PROCEDURE

The medical examination may test for any substance which could physically and/or mentally impair an employee's ability to effectively and safely perform the functions of his or her job, including but not limited to alcohol, prescription medications, heroin, cocaine, morphine and its derivatives, PCP, methadone, barbiturate, amphetamines, marijuana, other cannabinoids, and other illegal substances defined by Federal or State law.



Employees may consult with a representative prior to being medically examined for use based upon reasonable suspicion. The representative must be available and present within a reasonable time from the request, a reasonable time being approximately one hour from notification. The District reserves the right to administer the medical exam within one hour of the call to the representative.

### RESULTS OF MEDICAL EXAMINATION

A positive result from a drug and/or alcohol test obtained during a medical exam may result in disciplinary action, up to and including termination. The decision to impose discipline or termination will be carried out in conformance with the District's discipline procedures and policies. Whenever possible, the District will give preference to rehabilitation over discipline when responding to an employee's substance abuse.

If a drug screen is positive for a prohibited substance, the employee must provide within two working days of the receipt of the positive test results, bona fide verification of a valid current prescription for the drug identified in the drug screen. Extension of the time beyond the two working days may be granted upon the showing of good cause. The prescription must be in the employee's name. If the employee does not provide acceptable verification of a valid prescription, if the prescription is not in the employee's name, or the employee has not previously notified his or her supervisor, the employee will be subject to disciplinary action up to, and including, termination.

If an employee tests positive for any prohibited substance and the District notices its intent to discipline the employee, within forty-five (45) days of issuance of a Notice of Intended Disciplinary Action, the employee or employee labor organization may request and secure at the employee's or employee labor organization's expense, a test of the specimen. The employee or the employee labor organization will advise the District in writing of the request for testing a second specimen within ten days of making such a request.

### CONFIDENTIALITY

Medical or laboratory reports or test results will not appear in an employee's general personnel file. Information of this nature will be contained in a separate confidential medical folder that will be securely kept under the control of the Administrative Services Manager. The reports or test results may be disclosed to District management on a strictly need-to-know basis and to the employee upon request. Disclosures, without employee consent, may also occur when: (1) the information is compelled by law or by judicial or administrative process; (2) the information has been placed at issue in a formal dispute between the employer and employee; (3) the information is to be used in administering an employee benefit plan; or (4) the information is needed by medical personnel for the diagnosis or treatment of the employee who is unable to authorize disclosure.



## SEARCHES

The District reserves the right to search, without employee consent, all areas and property in which the District maintains control or joint control with the employee. Controlled and jointly controlled areas include District vehicles, offices, desks, file cabinets, lockers, etc.

Notwithstanding the above, no employee will have his or her locker, or other space for storage that is owned or leased by District that may be assigned to him or her searched except when he or she has been notified that a search will be conducted. Employee requests to be present during the search will be honored if the employee is able to return to the worksite within one hour of notification of the search. All such searches will be based upon probable cause to search. Probable cause forming the basis of the search will be provided to the employee in writing. The written document will be given to the employee prior to the search or, if that is not possible, within twenty-four hours of the search.

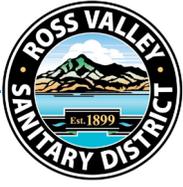
Except as specified elsewhere in this Policy Book, any manager or his or her designee will not physically search the person of employees, nor will they search the personal possessions of an employee without the written consent of the employee.

## EMPLOYEE RESPONSIBILITIES

An employee must:

- Not report to work or be subject to duty while his or her physical and/or mental ability to perform job duties is impaired due to on- or off-duty alcohol or drug use.
- Not possess impairing substances (alcohol, illegal drugs and prescription drugs without a prescription) during working hours or while subject to duty, on breaks, or at any time while at the assigned worksite.
- Not directly or through a third party sell or provide drugs or alcohol to any person, including any employee, while either employee or both employees are on duty.
- Submit immediately to a medical examination when ordered, in writing, by a manager or his or her designee when reasonable suspicion exists that the employee is either physically and/or mentally unable to perform the duties of his or her position.
- When a drug screening/test is positive for a potentially impairing drug or medication, provide within two working days of request a bona fide verification of a current valid prescription in the employee's name for that drug or medication. Extensions of time beyond the two working days may be granted upon the showing of good cause.
- Abide by all applicable regulations of the Federal Drug-Free Workplace Act of 1988.

Employees who are convicted of offenses relating to illegal drug activity may be considered to be in violation of this District policy. In deciding the District's course of action, the General Manager will take into consideration the nature of the conviction, date and circumstances of the offense, evidence of



## POLICY 401: DRUG FREE WORKPLACE

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rehabilitation, the employee's assignment and job duties, the record of the employee with the District, and other factors relative to the impact that the employee's conviction has upon the District, consistent with state and federal law.

Thus, such employees who are convicted after March 18, 1989 of any criminal drug statute for a violation occurring in the workplace must notify the District no later than five days after the conviction. This policy does not apply to misdemeanor marijuana related convictions that are over two years old, or convictions that have been judicially sealed, eradicated, or expunged. Once the District is notified of the conviction, the District must then notify the appropriate federal agency of the conviction. With respect to any employee so convicted, the District will take appropriate personnel action up to and including termination. As a condition of continued employment, the District may require the convicted employee to satisfactorily participate in an approved drug abuse rehabilitation program.

In addition, employees are encouraged to:

- Be concerned about working in a safe environment
- Support fellow workers in seeking help
- Seek appropriate treatment for drug and alcohol abuse before it impairs workplace safety and work performance
- Use the Employee Assistance Program
- Report dangerous behavior to their supervisors

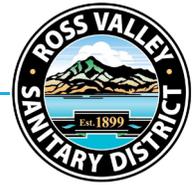
### **SUPERVISORY RESPONSIBILITIES**

It is a supervisor's responsibility to:

- Inform employees of the drug-free workplace policy, and attend required supervisory training related to this policy
- Observe employee performance
- Investigate reports of dangerous practices
- Document negative behaviors and problems in performance
- Counsel employees as to expected performance improvement
- Refer employees to the Employee Assistance Program
- Clearly state consequences of policy violations
- Report any concerns to management

### **MANAGEMENT RESPONSIBILITIES**

Managers or their designees are responsible for reasonable enforcement of this policy. A manager or his or her designee may order an employee to submit to a medical examination when he or she has reasonable suspicion that an employee is intoxicated or impaired by drugs or alcohol while on the job or



receiving compensation while on-call. "Reasonable suspicion" exists if, based on objective factors, a reasonable person would believe that the employee is under the influence of drugs or alcohol at work so that the employee's ability to perform the functions of the job is impaired or so that the employee is not able to physically and/or mentally perform the duties of his or her position in a proper manner.

Any manager or his or her designee ordering an employee to undergo a medical examination will document in writing the facts constituting reasonable suspicion that the employee in question is intoxicated or impaired by alcohol or drugs, prior to the request for the medical exam.

Any manager or his or her designee encountering an employee who refuses an order to submit to a medical examination will remind the employee of the requirements and disciplinary consequences of this policy. A refusal to test means that an employee:

- Engages in conduct that clearly obstructs or does not allow for the successful completion of the testing process, including refusal to sign consent forms.
- Fails to provide adequate breath for alcohol testing as required by District without a valid medical explanation (as determined by a medical evaluation).
- Fails to provide an adequate urine sample for controlled substances testing as required by District without a genuine inability to provide a specimen as determined by a medical evaluation.

Where there is reasonable suspicion that the employee is impaired by alcohol or drugs, the manager or his or her designee should ensure that the employee is safely transported to an appropriate location.

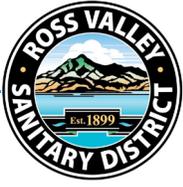
### REASONABLE SUSPICION TESTING PROCEDURES

Reasonable Suspicion procedures and forms including a ***Reasonable Suspicion Testing Checklist*** and ***Reasonable Suspicion Testing Consent Form*** are available in the Administrative Services Department.

### OBSERVING OF BEHAVIOR

When a supervisor is notified or suspects an employee may be in violation of the District's ***Drug Free Workplace Policy***, the supervisor must observe the behavior of the employee and immediately complete the ***Reasonable Suspicion Testing Checklist***.

After completing the ***Reasonable Suspicion Testing Checklist***, if the supervisor concludes there is reasonable suspicion that the employee may be in violation of the policy (e.g. using or being under the influence of drugs or alcohol while at work), the supervisor must contact another qualified observer (such as a District supervisor, manager, or Human Resource professional) who has received training to detect and document the physical, behavioral, speech, and performance indicators of intoxication and use of controlled substances. The second observer must also observe the behavior of the employee and complete a separate ***Reasonable Suspicion Testing Checklist***.



After completing both ***Reasonable Suspicion Testing Checklists***, if the supervisor and second observer both believe the employee may be in violation of the policy, the supervisor and second observer must escort the employee to an area where a conversation with the employee can be held in private. Both the supervisor and second observer should be involved in all steps of the process and both are expected to fully document the events immediately. An HR professional should be consulted as soon as feasible.

### **EMPLOYEES SUBJECT TO A COLLECTIVE BARGAINING AGREEMENT**

Employees may consult with a representative prior to being medically examined for use based upon reasonable suspicion. The representative must be available and present within a reasonable time from the request, a reasonable time being approximately one hour from notification. The District reserves the right to administer the medical exam within one hour of the call to the representative.

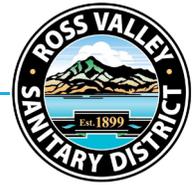
### **NOTIFICATION OF VIOLATION TO EMPLOYEE**

The supervisor will inform the employee that observations indicate that the employee may be in violation of the ***Drug Free Workplace Policy*** and will inform the employee of the observations recorded. The supervisor must ask the employee to offer an explanation of the observed behaviors. Both the supervisor and the second observer will document the conversation, including noting if the employee declined to comment. After an explanation is provided, or the employee declines to comment, if both the supervisor and second observer believe the employee is in violation of the policy, they will notify the employee as follows:

"The District's ***Drug Free Workplace Policy*** states that employees will be subject to reasonable suspicion testing when there are reasons to believe that drug or alcohol use is adversely affecting job performance, or the employee has violated the District's alcohol or drug prohibitions. At this time, we believe you are in violation of the ***Drug Free Workplace Policy*** and are requesting that you submit to a reasonable suspicion drug/alcohol test. This test will involve screenings to detect the presence of alcohol or drugs in your system. A positive test could result in corrective action, up to and including termination of your employment. Please read the ***Reasonable Suspicion Testing Consent Form***, provided to you, and sign in the appropriate area to indicate either your consent to or your refusal of the test. Failure to submit to and/or complete this testing may lead to corrective action, up to and including termination of employment."

### **EMPLOYEE REFUSES TESTING**

If the employee refuses to submit to the testing, the supervisor must tell the employee that refusal to submit to and complete the testing could subject them to corrective action up to and including termination of employment. The supervisor should again ask the employee to submit to the testing. If the employee refuses again, the supervisor will inform the employee that the refusal could subject them to corrective action. The supervisor will instruct and assist, if necessary, the employee to make arrangements



to be taken home safely. If the employee refuses such arrangements, the supervisor may obtain employee vehicle information such as make, model, color, license plate number and notify local police that the supervisor is the supervisor of an employee suspected of being in violation of the ***Drug Free Workplace Policy*** and that the suspected employee may be attempting to operate a vehicle. The supervisor must report this refusal to HR as soon as possible.

### **EMPLOYEE CONSENTS TO TESTING**

If the employee consents to testing, the supervisor should contact and inform the appropriate specimen collector that they are the supervisor of an employee suspected of being in violation of the ***Drug Free Workplace Policy*** and that the suspected employee will be transported to the specimen collection location for a drug/alcohol test screening. The supervisor or a manager will transport the employee to the collection location.

### **SPECIMEN COLLECTION**

For alcohol testing, an evidential breath testing (EBT) device is used. For drug testing, urine specimen collection and testing by a laboratory certified by the Department of Health and Human Services is required by the Omnibus Transportation Employee Testing Act.

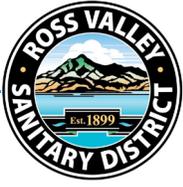
The supervisor or manager will remain with the employee while at the collection location. If the employee refuses to cooperate in the testing process, the supervisor or manager must tell the employee that refusal to submit to and complete the testing could subject them to corrective action up to and including termination of employment. If after reasonable efforts have been made to enable the employee to provide a breath or urine specimen and the employee is unable to do so, third party administrator protocol is to be conducted to establish medical impediment to providing a specimen. If no medical impediment exists, it is considered a refusal to test. Once the screening has been completed, the supervisor or manager will inform the employee to report to duty at their next assigned shift and should instruct, assist, and if necessary, arrange to take employee home safely.

### **HUMAN RESOURCES NOTIFICATION**

The supervisor must notify the Administrative Services Manager as soon as possible and provide him/her with the original copies of the ***Reasonable Suspicion Testing Checklist***, the ***Reasonable Suspicion Testing Consent Form***, and any other relevant documentation.

### **TEST RESULTS**

Test results will be reviewed by a medical review officer who will report test results in accordance with the guidelines (and all subsequent amendments) established by the U.S. Department of Health and Human Services Substance Abuse and Mental Health Services Administration (SAMHSA) to the Administrative



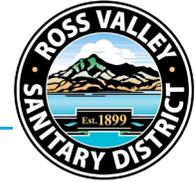
## POLICY 401: DRUG FREE WORKPLACE

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Services Manager. The Administrative Services Manager will work with operational supervisors, managers, and the employee as appropriate to determine next steps.

# POLICY 402: WORKPLACE SECURITY, SAFETY, AND VIOLENCE IN THE WORKPLACE

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## POLICY

It is the policy of RVSD to ensure that all employees are provided with a safe working environment and to take whatever actions may be necessary to prevent on-the-job accidents or injuries. Employees are responsible for following the District's Injury and Illness Prevention Program (IIPP). As part of this policy, the District seeks to prevent workplace violence before it begins and reserves the right to deal with behavior that suggests a propensity towards violence even prior to any violent behavior occurring.

The District also has a zero-tolerance policy for acts of violence and threats of violence in the workplace. Employees are required to report to their supervisor any incident involving a threat of violence or act of violence, or any violation of this policy, immediately.

## VIOLENCE IN THE WORKPLACE

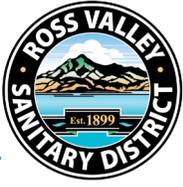
Threatening or intimidating behavior, threats, or acts of violence will not be tolerated and may be grounds for immediate termination, arrest and prosecution, and/or civil action. Any individual who engages in threatening behavior or violent acts (or who makes comments about inflicting self-harm or harming others, even if in jest) while on District property will be removed from the premises and may not return until the incident is fully investigated. RVSD reserves the right to have any such incident assessed by a professional who specializes in threat assessment.

Threats to or intimidation of employees in the workplace by individuals outside RVSD are also not tolerated and must be reported to the General Manager immediately. This may include acts of domestic violence and threats of harm from customers or vendors toward employees or District property.

Possession of a weapon on District premises and at District-sponsored events will constitute a threat of violence.

If an employee is a witness to or receives a threat or learns that another person has witnessed or received a threat, he or she must notify their supervisor or the General Manager immediately. Reports must be made of all incidents no matter who was involved or their relationship to each other. If an employee applies for or obtains a protective or restraining order that lists District locations as protected, he or she must provide a copy to the General Manager. RVSD understands the sensitivity of such information and uses confidentiality procedures that recognize and respect employees' privacy.

The safety of the office as well as the welfare of employees depends upon the alertness and sensitivity of every individual to potential safety risks. Employees should immediately notify management when unknown persons are acting in a suspicious manner in or around the workplace.



## POLICY 402: WORKPLACE SECURITY, SAFETY, AND VIOLENCE IN THE WORKPLACE

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The General Manager or his or her designee will respond to and conduct any necessary investigation of any potential threats of violence. All reports of workplace violence will be taken seriously and will be investigated promptly and thoroughly. In appropriate circumstances, the District will inform the reporting individual of the results of the investigation. To the extent possible, the District will maintain the confidentiality of the reporting employee and to protect individual safety. The District will not tolerate retaliation against any employee who reports workplace violence.

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

Specific procedures regarding violence in the workplace will be documented through the Injury and Illness Prevention Program, in accordance with CalOSHA requirements.

### USE OF PERSONAL ITEMS ON THE JOB

RVSD provides the necessary equipment that employees require to accomplish their job and tasks in the most efficient and safe manner. However, employees who want to use their personal items at work may do so with the understanding that they are using personal items at their own risk and are liable for the property and that it must be safe and used responsibly.

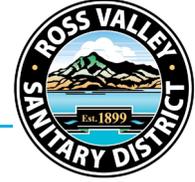
Employees are responsible for securing their workspace at the end of the day. When called away from the work area for an extended length of time, employees should not leave valuable and/or personal articles in or around the workstation/vehicle that may be accessible. RVSD is not responsible for loss or damage to any personal property or equipment that is brought to an office location or District function.

### ORIENTATION

All new employees participate in an employee orientation that includes District administrative and safety practices and procedures in accordance with the District's adopted Injury and Illness Prevention Program.

# POLICY 403: VEHICLE USE / DRIVING ON DISTRICT BUSINESS

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## POLICY

The purpose of this policy is to define the responsibilities and rules for the use of RVSD vehicles and equipment, and privately-owned vehicles used for District business. This policy applies to District Board members, managers, employees, and other authorized individuals as specified in this policy. This policy will take the place of all previous District vehicle policies and resolutions of the District's Board of Directors related to these topics, except for additional Department specific written policies and guidelines

## MANAGER RESPONSIBILITIES

### ENFORCEMENT

Managers are responsible for enforcing this policy within their departments.

### DRIVER'S LICENSE CHECKS

District will require DMV driver's license checks for new employees that are required to drive as part of their duties with the District. All employees who use District vehicles must have a copy of a current driver's license on file at all times. It is the responsibility of the employee to ensure the license on file is current.

### DRIVER'S LICENSE AND INSURABILITY VERIFICATION

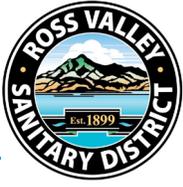
The Administrative Services Department is responsible for verifying that all employees who drive on District business are insurable under the District's risk pool and have a valid California driver's license. This departmental obligation does not diminish the employee's obligations pursuant to this policy.

### DOT DRIVER RECORDS

The Administrative Services Department will maintain accurate records of employees who are required by Department of Transportation (DOT) regulations to have a commercial driver's license. At a minimum, the record will include a copy of the employee's current DOT identification card, and a copy of the most recent DMV driver record information.

### PULL NOTICE PROGRAM

District employees who are required by California DMV pull notice policy (Class A, B, and C with special endorsements) or drive on District business daily must be enrolled in the Department of Motor Vehicles (DMV) pull notice program in accordance with DMV program rules. Hard copies of the employee's activity reports are kept and tracked by the Administrative Services Department as provided and allowed for under the California DMV pull notice program.



## POLICY 403: VEHICLE USE / DRIVING ON DISTRICT BUSINESS

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### EMPLOYEE RESPONSIBILITIES

#### RESPONSIBLE DRIVING

Each District driver/operator must drive responsibly, anticipate emergency situations and make every effort to avoid accidents. All employees operating a vehicle on District business represent the District and will always project a professional and responsible image to the public.

#### FOLLOW TRAFFIC LAWS

District drivers/operators are expected to be knowledgeable of and follow all applicable Federal, State, and local traffic laws.

#### DRIVER'S LICENSE

District employees operating vehicles or equipment on District business must have a valid State of California Driver's License at the appropriate level and with any necessary special endorsements. For the purpose of this policy section, "valid" means a current California Driver's License without restrictions, suspensions, or any other non-validating activity. All employees who use District vehicles must provide a copy of their current license to the HR department.

#### SUSPENDED, REVOKED OR RESTRICTED DRIVER'S LICENSE

District employees who are required to have a valid California driver's license to operate vehicles or equipment on District business must immediately inform their supervisor in the event their driver's license is suspended, revoked, or is otherwise restricted in a way that impacts the employee's ability to perform their job. Failure to inform a supervisor or other District management staff member may result in disciplinary actions per the District's policies and guidelines.

### OPERATING A VEHICLE ON DISTRICT BUSINESS

#### PRIVATELY OWNED VEHICLES

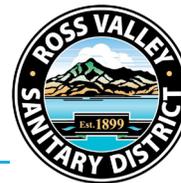
Employees using privately owned vehicles on District Business are subject to all subsections listed below and as specified in the sections District Owned or Leased Vehicles and Vehicles under District Control. The use of privately owned vehicles for District Business must be pre-approved by the General Manager or a department manager.

#### RESPONSIBILITY

Department managers are responsible for determining when it is most advantageous to the District for an employee to use a privately-owned vehicle on District business. Factors to be considered include: availability of District vehicles, cost of a District vehicle vs. mileage reimbursement, the appropriateness of the vehicle for the required use and best use of employees' time and operational efficiency.

# POLICY 403: VEHICLE USE / DRIVING ON DISTRICT BUSINESS

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## **INSURANCE REQUIREMENTS**

Employees who drive a privately-owned vehicle on District business must maintain automobile insurance that complies with the State of California minimum requirements for bodily injury and property damage.

## **PRIMARY INSURANCE COVERAGE**

If an employee is involved in an accident in a privately-owned vehicle, even though conducting authorized District business, the employee's automobile insurance is primary to any other coverage per the California Vehicle Code.

## **EXCLUSIVE USE**

No employee will travel on District business in a privately-owned vehicle without the approval of his or her division manager.

## **REIMBURSEMENT CLAIMS**

When District employees use a privately-owned vehicle on District business they will be reimbursed at the rate provided by the mileage reimbursement rates as shown on the IRS website at <https://www.irs.gov/tax-professionals/standard-mileage-rates> and as set forth in Policy 305: ***Travel and Other Reimbursement Policy***.

Reimbursement will be based on the mileage from door-to-door. Door-to-door means that mileage will be paid from the point (either employee's home or District office) from which the employee leaves for the reimbursable event.

Claims for mileage reimbursement must be submitted on District claim forms and processed in accordance with the District's Administrative Services procedures.

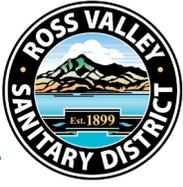
## **MOTORCYCLES**

No employee will operate a motorcycle on District business without specific written authorization of the General Manager or designee.

## **DISTRICT-OWNED OR LEASED VEHICLES**

### **AUTHORIZATION**

District-owned vehicles will be driven only by appropriately licensed and authorized District managers, employees or other authorized persons. Authorization must be by the appropriate District manager or General Manager.



## POLICY 403: VEHICLE USE / DRIVING ON DISTRICT BUSINESS

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### **AUTHORIZED RIDERS**

No person will be permitted to ride in a District vehicle unless such person is a District manager, employee, or other authorized person conducting official District business, or is a passenger authorized to be in said vehicle by the General Manager or a District manager.

### **DISTRICT BUSINESS USE ONLY**

District vehicles must be used for official District business only. No person other than a District employee or authorized person, as described in this section, will be allowed to operate any District vehicle.

### **SMOKING**

Smoking is prohibited in all vehicles owned, leased, or operated by the District.

### **ALL VEHICLE OPERATION**

Drivers must be familiar with the manner of operation of vehicles that they operate on District business. If drivers are unsure of the operation of their vehicle, they should check the owner's manual in the glove box of the car or contact their supervisor or manager for assistance.

### **SEAT BELT USAGE**

The driver and all passengers in a District vehicle or in a private vehicle being used on District business must use seat belts.

### **ATTENTIVE DRIVING**

Drivers must remain attentive to driving at all times. Use of cellular phones, eating or drinking, dealing with passengers or other distractions while the vehicle is moving should be avoided. Whenever possible, drivers should pull off the road and stop when having to deal with distractions in the vehicle.

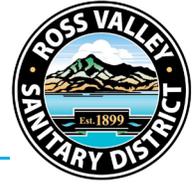
### **CELL PHONE USAGE WHILE DRIVING OR WHILE OPERATING A VEHICLE**

District employees will follow the applicable law, which includes not operating a private vehicle on District business or a District vehicle, at any time, while holding or operating a wireless telephone or an electronic wireless communications device, unless the device is specifically designed and configured to allow voice-operated and hands-free operation, and it is used in that manner while driving. (Vehicle Code, Division 11, Chapter 12, Article 1, §23123.5)

**Exception 1:** This section does not apply to a person using a wireless telephone for emergency purposes, including, but not limited to, an emergency call to a law enforcement agency, health care provider, fire department, or other emergency services agency or entity. The District will supply hands-free equipment for any employee required to take or make emergency calls to, from, or on behalf of the District while driving.

## POLICY 403: VEHICLE USE / DRIVING ON DISTRICT BUSINESS

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**Exception 2:** This section does not apply to a person when using a digital two-way radio that utilizes a wireless telephone that operates by depressing a push-to-talk feature and does not require immediate proximity to the ear of the user, and the person is driving one of the following vehicles: A motor truck or a truck tractor that requires either a commercial class A or class B driver's license to operate.

An employee who is convicted for a wireless telephone, cell phone, or electronic wireless communications device violation may be subject to disciplinary actions up to and including termination and in accordance with the District's ***Policy 404 Disciplinary Process***.

As used in this section "write, send, or read a text-based communication" means using an electronic wireless communications device to manually communicate with any person using a text-based communication, including, but not limited to, communications referred to as a text message, instant message, or electronic mail.

For purposes of this section, a person will not be deemed to be writing, reading, or sending a text-based communication if the person reads, selects, or enters a telephone number or name in an electronic wireless communications device to make or receive a telephone call.

### **ALCOHOL DRUGS AND OTHER INTOXICANTS**

Consumption of alcohol, drugs or other intoxicants while operating District vehicles or equipment or while operating a privately-owned vehicle on District business is strictly prohibited.

### **DANGEROUS OR DEFECTIVE VEHICLE**

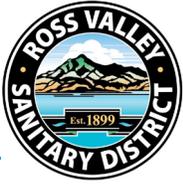
Any District owned vehicle, or privately-owned vehicle while being used for District business, must not be operated when in a known dangerous or defective condition.

### **REPORTING AN UNSAFE VEHICLE**

When a District vehicle is found to be in a dangerous or defective condition, it must be reported to a supervisor or the Operations and Maintenance Manager as soon as possible.

### **VISUAL INSPECTIONS**

Employees will complete a Vehicle Inspection Form and conduct a visual inspection of the District assigned vehicle for damage prior to use and as required by law or instructed by a supervisor. Any damage or safety problems observed must be reported to an employee's supervisor or the Operations and Maintenance Manager immediately upon discovery. Employees must not operate a vehicle deemed to be unsafe to operate and must follow procedures noted in this policy.



## POLICY 403: VEHICLE USE / DRIVING ON DISTRICT BUSINESS

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### **TRAFFIC CITATIONS**

Any employee who receives a traffic citation other than for illegal parking while operating a District owned vehicle, or while operating a privately-owned vehicle on District business, must report such citation to his or her supervisor.

### **RETURNING DISTRICT VEHICLES**

When returning a District vehicle, the vehicle will be cleaned and cleared of all debris.

### **VEHICLE ACCIDENTS OR DAMAGE**

#### **SAFE DRIVING**

It is the responsibility of the driver of District owned vehicles, or privately-owned vehicles while being used for District business, to exercise reasonable care to avoid impediments or obstructions in the path of the vehicle that may cause damage to the vehicle, other vehicles or property, or injury to drivers, passengers, and pedestrians. As such, any employee discovered (after internal or third-party investigation) not to be exercising reasonable care (e.g., convicted of a violation, running a red light, etc.) of a District vehicle, will be subject to disciplinary actions up to and including termination.

#### **ACCIDENT / DAMAGE REPORTING**

All accidents and vehicle and property damage in a District vehicle or piece of equipment or a privately-owned vehicle being used on District business, regardless of severity, must be reported immediately to the employee's supervisor, the Operations and Maintenance Manager, and as required by law or District policy, to the appropriate law enforcement agency. Employees involved in an accident that requires notification to a law enforcement agency must request an official accident report from the responding officer. Any incidents involving a District vehicle requiring towing services must be reported immediately and an incident report submitted.

#### **TIMELY REPORTING OF ACCIDENTS**

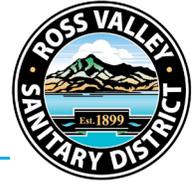
Employees involved in any accident in a District owned vehicle or a privately-owned vehicle being used on District business or on a work site or property owned, leased, or under the control of the District, will make a complete report of such accident to their supervisor or the Operations and Maintenance Manager within one business day.

#### **ACCIDENT REPORT FORMS**

Accident reports will contain information on other vehicles, drivers, property involved, witnesses, weather conditions, road conditions, and any other pertinent information regarding such accident. Accident Report Forms are in the glove compartment on all District vehicles or may be obtained from an employee's supervisor.

# POLICY 403: VEHICLE USE / DRIVING ON DISTRICT BUSINESS

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## **INSURANCE REQUIREMENTS**

Employees who drive a privately-owned vehicle on District business must maintain and provide evidence of automobile insurance to the Administrative Services Department annually that exceeds the State of California minimum legal requirements for auto insurance coverage. State limits are available at:

[https://www.insurance.ca.gov/01-consumers/105-type/95-guides/01-auto/auto101.cfm#Liability Coverage and California Law](https://www.insurance.ca.gov/01-consumers/105-type/95-guides/01-auto/auto101.cfm#Liability%20Coverage%20and%20California%20Law).

## **PRIMARY INSURANCE COVERAGE**

If an employee is involved in an accident in a privately-owned vehicle, even though conducting authorized District business, the employee's automobile insurance is primary to any other coverage per the California Vehicle Code.

## **TAKE HOME VEHICLES**

### **TAKE HOME VEHICLE ASSIGNMENTS**

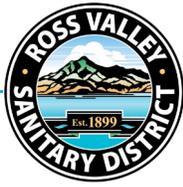
Take home vehicle assignments are at the discretion of the General Manager and are to be limited to those staff engaged in immediate, first line, emergency response for critical services or when a take home vehicle assignment results in an economy and/or efficiency that is in the best interest of the District.

### **INTERMITTENT TAKE HOME VEHICLE**

The General Manager on a case-by-case basis will approve intermittent take home vehicle assignments. Intermittent take home vehicle assignment is the overnight usage of a District vehicle on an intermittent or other than normal basis.

### **GLOBAL POSITIONING SYSTEM (GPS)**

District vehicles and equipment may be equipped with Global Positioning Software (GPS). This equipment notifies the District of maintenance needs related to the District's vehicles and equipment, helps to retain location information to respond to customer concerns and inquiries, assists in dispatch of District vehicles, and provides safety by allowing location identification for employees on a solo response or after hours.



### POLICY

The following discipline and disciplinary appeal procedures apply only to the District's regular full-time employees and regular part-time employees (as those terms are defined in **Policy 201 Employment Categories**). All employees other than regular full-time and regular part-time employees, namely limited term employees, temporary employees and at-will employees, may be disciplined or separated at will, with or without cause, and without the disciplinary procedures listed below.

Unless otherwise specified in an MOU, the following constitutes the District's policy regarding disciplinary actions:

### CAUSES FOR DISCIPLINE

Regular employees may be counseled, admonished, reprimanded, suspended, demoted, terminated or incur a reduction in pay for any of the following causes of discipline, including, but not limited to:

- Violation of any division rule, District policy, section in this Policy Book or District regulation, ordinance or resolution.
- Absence without authorized leave or tardiness.
- Abuse of leave policies and practices or excessive unprotected absenteeism and/or tardiness.
- Use of leave in a manner not authorized or provided for pursuant to the policies of the District.
- Making any false statement, omission, or misrepresentation of a material fact.
- Providing wrong or misleading information or other fraud in securing appointment, promotion or maintaining employment.
- Unsatisfactory job performance including but not limited to inefficiency, recklessness, or inability to meet deadlines or outcomes.
- Malfeasance or misconduct.
- Conviction for committing a felony. "Conviction" will be construed to be a determination of guilt of the accused by a court, including a plea of guilty or nolo contendere, regardless of sentence, grant of probation, or otherwise.
- The damaging of District property, equipment, or vehicles, or the waste of District supplies through negligence or misconduct.
- Insubordination, or insulting or demeaning the authority of a supervisor or manager.
- Dishonesty, theft, mishandling of public funds, or falsifying a public record.
- Violation of the District's or a department's confidentiality policies, or disclosure of confidential District information to any unauthorized person or entity.
- Misuse or unauthorized use of any District property, including, but not limited to: physical property, tools, equipment, District communication systems, District vehicles or intellectual property.



- Discourteous, rude, harassing, or retaliatory conduct in respect to treatment of the public or other employees.
- Failure to cooperate with employee's supervisor or fellow employees.
- Unapproved outside employment or activity that violates the District's policy, or other enterprise that constitutes a conflict of interest with service to the District.
- Any conduct while in uniform, wearing District logo clothing or promotional items, on duty, on the premises or on a District work site that impairs, disrupts, or causes discredit to the District or to public service.
- Failure to follow safe work rules or to comply with Cal/OSHA Safety Standards and District safety policies.
- Altering, falsifying, and tampering with time records, or recording time on another employee's time record.
- Working overtime without prior authorization or refusing to work assigned overtime.
- Carrying firearms or other dangerous weapons on District premises at any time, unless authorized to do so.

This list is not exhaustive, and other conduct may also constitute a cause for discipline in accordance with this policy.

### ADMINISTRATIVE LEAVE

A department manager may place an employee on an administrative leave with pay pending a potential disciplinary action.

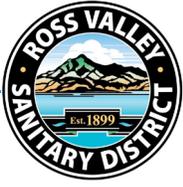
### TYPES OF DISCIPLINE

The types of personnel actions and/or discipline are:

#### MINOR DISCIPLINE

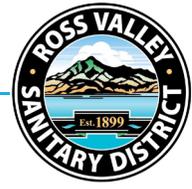
- **Verbal Warning or Verbal Counseling** – verbal direction from a supervisory employee to discontinue inappropriate conduct or to correct a performance issue. A verbal warning or counseling is not made a part of the employee's disciplinary action file but may be referenced in any subsequent written reprimands or the employee's annual evaluation.
- **Written Counseling Memo or Written Reprimand** – written document from a supervisory employee to discontinue inappropriate conduct or to correct a performance issue. A written counseling memo or reprimand shall be recorded, signed by the employee and department head, and placed in the employee's personnel file.

Minor Discipline may not be appealed under this policy.



### MAJOR DISCIPLINE

- **Suspension without Pay** – Fringe benefits such as vacation and sick leave shall not accrue during a period of suspension without pay. However, health, dental, vision, life, and disability insurance shall remain in effect during a suspension without pay. For suspensions of three working days or less, the department head may initiate disciplinary action without prior approval of the General Manager. For suspension in excess of three working days, the department head shall recommend an appropriate action for approval by the General Manager. The maximum period of suspension shall be twenty (20) working days.
- **Demotion** – Upon recommendation of the department head and approval of the General Manager, an employee may be demoted from one classification to another for disciplinary reasons. The salary upon demotion shall be that of the re-assigned classification to which the employee is demoted.
- **Reduction in Pay** – Upon recommendation of the department head and approval of the General Manager, an employee's salary may be reduced one or more steps for disciplinary reasons. The employee shall be given written notice which shall include notification of all conditions which must be met in order to return to that employee's normal salary.
- **Termination** – Upon recommendation of the department head and approval of the General Manager, an employee may be terminated for disciplinary reasons. An employee who is involuntarily discharged from District service is entitled to rights and benefits in accordance with state and federal law.



The following discipline procedures apply only to suspension without pay, reduction in pay, demotion, or dismissal.

### "SKELLY" NOTICE OF INTENDED DISCIPLINARY ACTION TO EMPLOYEE

A written notice of the intended disciplinary action shall be given to the employee, which will include the following information:

- The specific disciplinary action proposed, including any time period or other conditions associated with the discipline;
- The specific charges that support the intended discipline;
- A summary of the facts that show that the elements of each charge at issue in the intended discipline;
- A copy of all materials upon which the intended discipline is based;
- The proposed effective date of the intended discipline;
- Notice of the employee's right to respond to the department manager regarding the intended discipline within seven days from the date of the notice, either by requesting a Skelly conference, or by providing a written response, or both;
- Notice of the employee's right to have a representative of his or her choice at the Skelly conference; and
- Notice that failure to respond by the time specified constitutes a waiver of the right to respond prior to final discipline being imposed.

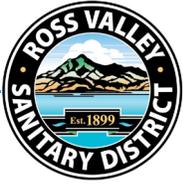
### RESPONSE BY EMPLOYEE AND SKELLY CONFERENCE

If the employee requests a *Skelly* conference, the department manager or designee will conduct an informal meeting with the employee. During the informal meeting, the employee shall have the opportunity to rebut the charges against him or her and present any mitigating circumstances. The Skelly Officer will consider the employee's presentation before the final issuance of any disciplinary action. The employee's failure to attend the conference, or to deliver a written response by the date specified in the *Skelly* notice, is a waiver of the right to respond, and the intended disciplinary action will be imposed on the date specified in the *Skelly* letter.

### FINAL NOTICE OF DISCIPLINE

After the *Skelly* conference and/or timely receipt of the employee's written response, the department manager will either:

- 1) take no disciplinary action; or
- 2) modify the intended discipline; or
- 3) impose the intended disciplinary action.



In any case, the department manager will provide the employee with a notice that contains the following:

- The level of discipline, if any, to be imposed and the effective date of the discipline;
- The specific charges upon which the discipline is based;
- A summary of the facts that show that the elements of each charge at issue in the intended discipline;
- A copy of all materials upon which the discipline is based; and
- A reference to the employee's appeal right and deadline to appeal.
- Delivery of the Final Notice of Discipline

The final notice of discipline will be sent by mail method that verifies delivery to the last known address of the employee or delivered to the employee in person. If the notice is not deliverable because the employee has moved without notifying the District, or the employee refuses to accept delivery, the effective date of discipline will be the date the post office or delivery service attempted delivery.

### **APPEAL OF DISCIPLINE**

The following appeal procedures apply only to the District's regular full-time employees and regular part-time employees (as those terms are defined in *Policy 201 Employment Categories*). The following discipline procedures apply only to suspension without pay, reduction in pay, demotion, or dismissal. All employees other than regular full-time and regular part-time employees, namely limited term employees, temporary employees and at-will employees, have no right to appeal any discipline.

### **REQUEST FOR APPEAL HEARING**

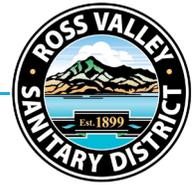
An employee may submit a written request for appeal to the General Manager within fourteen (14) days from: 1) receipt of the Final Notice of Discipline; or 2) the date of attempted delivery by the post office or delivery service of the notice to the last known address of the employee. Failure to file a timely written request for an appeal waives the right to an appeal hearing and any appeal of the discipline.

### **APPEAL HEARING OFFICER**

The appeal hearing officer ("Appeal Hearing Officer") shall be an individual selected through the California Office of Administrative Hearings (OAH).

### **DATE AND TIME OF THE APPEAL HEARING**

Once the Appeal Hearing Officer has been designated, the General Manager or designee will set a date for an appeal hearing.



### **PREHEARING NOTICE OF WITNESSES AND EVIDENCE**

No later than ten (10) days before the hearing date, each party will provide the other and the appeal hearing officer a list of all witnesses to be called (except rebuttal witnesses), and a copy of all evidence (except rebuttal evidence) to be submitted at the hearing. The District will use numbers to identify its evidence; the employee will use alphabet letters. Neither party will be permitted to call any witness or evidence that has not been listed, unless that party can show that the party could not have reasonably anticipated the need for the witness or exhibit.

### **SUBPOENAS**

Upon the request of either party, and upon his or her own motion, the hearing officer will issue subpoenas to compel attendance at the appeal hearing. Each party is responsible for serving their own subpoenas. District employees who are subpoenaed to testify during working hours will be released with pay to appear at the hearing. District employees who are subpoenaed to testify during non-working hours will be compensated for the time they actually spend testifying.

### **CONTINUANCES**

The Appeal Hearing Officer may continue a scheduled hearing only upon good cause shown.

### **RECORD OF THE APPEAL HEARING**

The hearing shall be recorded, either electronically or by a court reporter, at the option of the District.

### **EMPLOYEE APPEARANCE**

The employee must appear personally before the Appeal Hearing Officer at the time and place set for the hearing. The employee may be represented by any person he or she may select.

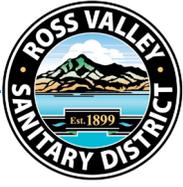
### **CONDUCT OF THE HEARING**

#### ***SWORN TESTIMONY***

All witnesses shall be sworn in prior to testifying. The Appeal Hearing Officer or court reporter shall request each witness to raise his or her hand and respond to the following: "Do you swear that the testimony that you are about to give is the truth, the whole truth, and nothing but the truth?"

#### ***EVIDENCE***

Hearings need not be conducted according to technical rules relating to evidence and witnesses, but hearings shall be conducted in a manner that the Appeal Hearing Officer decides is the most conducive to determining the truth. The rules dealing with privileges shall be effective to the same extent that they are recognized in civil actions. Irrelevant or unduly repetitious evidence may be excluded. The Appeal Hearing Officer shall determine the relevance, weight and credibility of testimony and evidence.



### ***EXCLUSION OF WITNESSES***

During the examination of a witness, all other witnesses, except the parties, shall be excluded from the hearing.

### ***BURDEN OF PROOF***

The District has the burden of proof by the preponderance of the evidence.

### ***AUTHORITY OF HEARING OFFICER***

The Appeal Hearing Officer shall not have the power to alter, amend, change, add to, or subtract from any of the terms of these Policies.

### ***PROFESSIONALISM***

All parties and their attorneys or representatives shall not, by written submission or oral presentation, disparage the intelligence, ethics, morals, integrity or personal behavior of their adversaries or the Appeal Hearing Officer.

### ***WRITTEN BRIEFS***

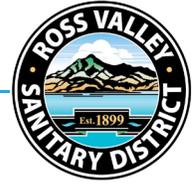
Either party may request to submit a written brief and/or a draft decision. The Appeal Hearing Officer will determine whether to allow written briefs or draft decisions, the deadline for submitting briefs, and the page limit for briefs.

### **APPEAL HEARING OFFICER'S FINDINGS AND RECOMMENDED DECISION**

Within sixty (60) days of the conclusion of the hearing, the Appeal Hearing Officer shall make written findings and a recommended decision as to the discipline.

If the General Manager was not the *Skelly* Officer, he or she shall review the findings and recommendations of the Appeal Hearing Officer and may then affirm, revoke, or modify the findings, recommendations, or disciplinary action taken. The decision of the General Manager is final. There is no process for reconsideration.

If the General Manager was the *Skelly* Officer, the Board of Directors shall review the findings and recommendations of the appeal hearing officer and may then affirm, revoke, or modify the findings, recommendations, or disciplinary action taken. The decision of the Board of Directors is final. There is no process for reconsideration.



### **PROOF OF SERVICE OF THE WRITTEN FINDINGS AND DECISION**

The District will mail a copy of the final written findings and decision, along with a proof of service of mailing that confirms that each of the parties and each of the parties' representatives were mailed the final written findings and decision. It shall be the responsibility of the employee to inform the District of his or her address. A copy of the decision shall also be provided to the Administrative Services Manager.



### PURPOSE

This policy applies to the use of personal and District issued cell phone devices by employees within the course and scope of employment. For purposes of this policy, cell phone includes any electronic communications device in which the user can write, send or read text-based communications.

### POLICY

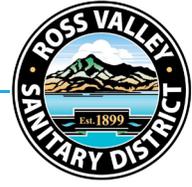
All District cell phones are provided as a tool to conduct District-related business. District cell phones are issued on an as-needed basis with the approval of the department manager. All District employees will use such devices in a responsible, appropriate, and safe manner. All employees assigned communications equipment will assume the responsibility to use the equipment in accordance with the provisions of this Policy Book.

- Employees are prohibited from installing any third-party software (i.e., “apps”) to District cell phones unless approved by the District’s IT manager. The IT manager may require the employee's supervisor to approve the request.
- Employees have no expectation of privacy as to data residing in telecommunications devices and/or voice mail, cell phone bills, and usage reports. The District may inspect that data at any time and without notice, as permitted by Federal and State law.
- Employees must protect District cell phones from loss or damage. An employee assigned a District phone is responsible for its good care and will be required to reimburse the District's cost for any damage or loss due to negligence. If such a device is damaged, fails to work properly, or is stolen or lost, the employee must notify the department manager immediately.
- Phones must be charged and turned on at all times while on District business.
- District employees should only use cell phones in the performance of their official duties. Personal use of District cell phones is discouraged, and excessive use may result in disciplinary action and reimbursement of charges to the District for personal use.
- The camera function on District cell phones shall only be used for work-related purposes.

### USE OF PERSONAL CELL PHONES

Employees should limit personal cell phone usage during work hours to breaks or lunch periods. Usage outside of the break and lunch periods should be minimal and must follow the guidelines in this policy.

Personal cell phones must not be disruptive to co-workers, cause undue disruption to work activities, or have an adverse effect on workplace safety.



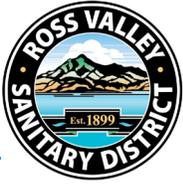
### USE OF CELL PHONE WHILE OPERATING A VEHICLE

In the interest of the safety of our employees and other drivers, District employees must follow the applicable law and the District's ***Policy 403 Vehicle Use / Driving on District Business***, which includes not operating a District vehicle while using a wireless telephone unless that telephone is specifically designed and configured to allow hands-free listening and talking and is used in that manner while driving. Under no conditions may District employees send or receive text messages, emails, or other forms of written communications on a cell phone, PDA or other electronic communications device while operating a vehicle on District business as stated in the District's ***Policy 403 Vehicle Use / Driving on District Business***.

As determined by District management, if the employee's job requires a cell phone to be turned on while driving, the employee will be provided and must use a hands-free device while using the cell phone to conduct District business and while driving.

### LOCATION SERVICES AND PUBLIC RECORDS ACT REQUESTS

All cell phones come equipped with location services. Location services may be turned on in a District cell phone. In addition, cell phone calls and messages placed on behalf of the District and while conducting District business, whether on a personal or District phone, may be included in discovery or a Public Records Act request. Employees should not have an expectation of privacy while conducting District business using a cell phone.



## POLICY 406: DISTRICT PROPERTY AND ELECTRONIC COMMUNICATIONS

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### POLICY

Ross Valley Sanitary District encourages the use of electronic communications resources to share information in support of its mission of public service and to conduct its business. Every employee is required to adhere to District rules and policies when on District property, at a District worksite, or when using District property or equipment. This policy governs all electronic communications resources as defined in this Policy Book *Section 5 Definitions*.

### USE OF DISTRICT PROPERTY AND EQUIPMENT

District property is to be used only for conducting District business unless otherwise authorized. District property includes, but is not limited to: telephones, cell phones, desks, computers (including hardware and software), file cabinets, lockers, communications stored or transmitted on District property (such as emails and voicemails), vehicles, equipment, and any other District property used by District employees in their work.

Personal use of District property should be kept to a de minimus level. Under the law, de minimus is defined as “trivial” and “not worthy of judicial scrutiny.” For example, an employee asked to work longer on their regular work shift, might contact a family member briefly to let them know they will be late but should not discuss other plans over a longer period of time.

District property may be monitored through electronic, video, and global positioning software (GPS) means and searched at any time and for any reason. Messages sent or received on District equipment, including cell phones, may be saved and reviewed by others. Location services may be turned on in District equipment. Surveillance cameras in District workplace facilities may be monitored at any time. Vehicle maintenance, location, and operational data may be collected at any time. Therefore, except as provided for by law, District employees must have no expectation of privacy when on District property, at a District worksite, or when using District property or equipment.

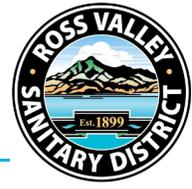
### ELECTRONIC COMMUNICATIONS

The District’s email system is an official communication tool for District business. An official email address is established and assigned by the District to each employee. All District communications sent via email will be sent to this address. District employees must use the official District email, instead of their private email address when conducting or communicating District business via email.

Electronic communications resources must be used in compliance with applicable statutes, regulations, and District policies including those that require a work environment free from discrimination and

# POLICY 406: DISTRICT PROPERTY AND ELECTRONIC COMMUNICATIONS

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harassment. Electronic communications should conform to the same standards of propriety and respect as any other verbal or written communication at the District.

Employees are expected to use common sense and judgment to avoid any communication that is disrespectful, offensive or illegal. Use of District communications systems for harassment or disparagement of others or for conduct prohibited by state or federal law or District policies, is prohibited. Inappropriate use of the District's information systems will result in corrective action up to and including termination.

The District, as the provider of access to its electronic communications resources, reserves the right to specify how those resources will be used and administered to comply with this policy. It is important to realize that the message content sent from the District's account reflects upon the District (positively or negatively) to those who receive the message. Employees may be subject to disciplinary action for using the electronic communications resources in a manner other than for their intended purposes, or in a manner that violates applicable laws, rules and policies.

## INCIDENTAL PERSONAL USE

The District provides electronic communication resources to facilitate the performance of District work. Incidental personal use is secondary, and should not:

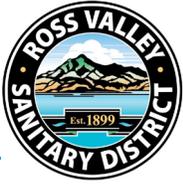
- interfere with the District's operation of electronic communications resources;
- interfere with the user's employment or other obligations to the District, or
- burden the District with noticeable incremental costs.

Incidental use of the District's electronic communications resources should clearly indicate that the use is personal. Users of electronic communications resources must not give the impression that they are representing, giving opinions, or otherwise making statements on behalf of the District unless appropriately authorized to do so. The District is not responsible for any loss or damage incurred by an individual as a result of personal use of the District's electronic communications resources.

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

## PRIVACY LIMITS

The California Public Records Act requires the District to disclose specified public records. In response to requests for such disclosure, it may be necessary to examine electronic communication records that users may consider to be personal to determine whether they are public records that are subject to disclosure.



## POLICY 406: DISTRICT PROPERTY AND ELECTRONIC COMMUNICATIONS

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All communications transmitted via the District's electronic communications resources, whether or not related to personal or confidential matters, are subject to monitoring, at the District's discretion. The District monitors communications transmitted via the District's electronic communications resources in the ordinary course of business for purposes that include ensuring their reliability and security. The existence of passwords and "message delete" functions do not restrict or eliminate the District's ability or right to access electronic communications.

Employees should not communicate their private, privileged, or confidential information, including but not limited to personal attorney client communications, financial or medical information, and other privileged information, via the District's electronic communications resources. Employees who do communicate their private, privileged or confidential information via the District's electronic communications resources will be deemed to have waived any privilege or privacy rights in those communications, even where those communications are made via personal password protected accounts using the District's electronic communications resources. Additionally, the District may be required to produce information transmitted or stored on its electronic communications resources pursuant to a court order, subpoena, or statute.

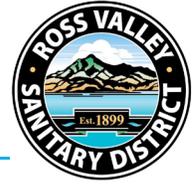
### RESTRICTIONS

The District reserves the right to restrict access to any data source via District owned technology, at its sole discretion. These restrictions do not constitute an implication of approval of other non-restricted sources. Without exhausting all the possibilities, the following are examples of inappropriate use of the District's electronic communications resources:

- Exposing others unwillingly, either through carelessness or intention, to material which is offensive, obscene or in poor taste. This includes information which could create an intimidating, offensive or hostile work environment.
- Any use that may, for a reasonable person, create or further a hostile attitude or give offense on the basis of race, color, religion, national origin, citizenship, ancestry, marital status, gender, disability, age, veteran's status or sexual orientation, or other protected class.
- Communicating confidential District information to unauthorized individuals within or outside of District.
- Sending messages or information that is in conflict with applicable law or District policies, rules or procedures.
- Attempting to access unauthorized data or break into any District or non-District system.
- Engaging in theft or the unauthorized copying of electronic files or data.
- Performing acts that are wasteful of computing resources or that unfairly monopolize resources to the exclusion of others is prohibited. These acts include, but are not limited to, sending mass mailings or chain letters and creating unnecessary network traffic.

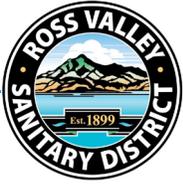
## POLICY 406: DISTRICT PROPERTY AND ELECTRONIC COMMUNICATIONS

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- Intentionally misrepresenting one's identity for improper or illegal acts.
- Engaging in unlawful activities.
- Engaging in commercial activity or activity for financial gain, not under the purview, on behalf of, or within the control of the District.
- Engaging in recreational use of the District's electronic communications resources that interferes with the ability of the employee or other users to conduct District work. This includes, but is not limited to, downloading or uploading games or shareware.
- Receiving and/or downloading executable files and programs via email or the Internet without express permission from the systems administrator is prohibited. This includes, but is not limited to, software programs and software upgrades. All downloaded files must be scanned for viruses.
- Using another user's name and/or account, without express permission of the systems administrator, to access the Internet is strictly prohibited.
- Violating 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 that is downloaded onto District computer resources, becomes the sole property of the District.

All list subscriptions shall be for business purposes.



### POLICY

The attire employees wear at work reflects on each employee and the District in the eyes of the people we serve and the contractors with whom we work. In order to make a favorable impression of professionalism and pride in our work with the members of the public and industry representatives, it is important that all employees present a businesslike appearance while at work or in a work-related situation.

### GUIDELINES

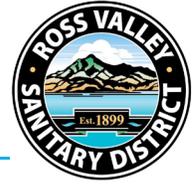
Some guidelines to follow include:

- Clothing and footwear must not constitute a safety hazard.
- All employees should practice common sense in terms of neatness, safety, and comfort. Provocative clothing is prohibited.
- Exercise apparel, flip flops, and similar apparel are not permitted unless prior authorization is obtained from District management.
- Field personnel will be provided with, and are expected to wear, uniforms and safety apparel/equipment.

Employees wearing District issued clothing or promotional clothing labeled with District logos while on duty or off duty may be perceived by the public as in the employ of the District or on duty with the District. Therefore, employees who are wearing items with District logos or titles are expected to conduct themselves with integrity and decorum.

# POLICY 408: REQUESTS FOR INFORMATION AND MEDIA CONTACT

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## POLICY

It is the policy of the District to provide all information to the public that is not expressly prohibited from disclosure by the Public Records Act. Any request for a public document by a member of the public must be duly noted with the date, time and substance of the request as well as the name of the person making the request.

If staff has any question that a request is legally protected, they will address their question to the General Manager or his or her designee who will then address the question directly with legal counsel, if necessary. Examples might be personnel records, communications between counsel and representatives of the District, or consultants' reports prepared with the participation of counsel.

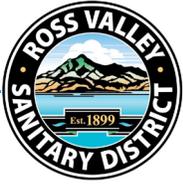
If a copy of a document is requested, as opposed to an inspection of a public document, the copy will be provided as soon as possible, not to exceed ten working days to prepare the copies and provide them to the requesting party.

## REQUESTS FOR INFORMATION FROM BOARD MEMBERS

When a Board Member seeks clarification on informational items, the Board Member will be referred directly to the General Manager or appropriate management personnel for information needed to supplement, upgrade, or enhance the Board Member's knowledge. When a Board Member seeks clarification on policy related concerns, especially those involving personnel, legal action, land acquisition and development, finances, and programming, said concerns will be referred directly to the General Manager and/or legal counsel.

## MEDIA CONTACT

Employees may be approached for interviews or comments by the news media. Only employees designated by the General Manager as "contact people" may comment to news reporters or other media on programs, projects, policies or events that have an impact on RVSD. Otherwise, all media contacts and requests for information or interviews must be referred to the General Manager.



### POLICY

The purpose of this policy is to ensure that RVSD employees do not receive or accept gifts or gratuities that may improperly influence their decision-making or job performance, subject to the business needs of the RVSD. A gratuity is defined as a gift or service rendered to an individual. Gifts include, but are not limited to money, candy, alcoholic beverages, tickets to events, trips, or the use of equipment or property. All gratuities received or offered to the employee should be reported to the employee's supervisor. Items from vendors or contractors provided to District personnel as a whole, such as fruit and snack baskets and other perishable items, shall not be covered by this policy.

An employee's job requirements may include attendance at conferences or other business gatherings, or other circumstances where it is necessary for business purposes to be able to accept gifts or gratuities. Accordingly, employees in these positions may not receive a gratuity from any individual, organization, or vendor doing business with RVSD that has an estimated aggregate value exceeding the maximum amount allowable by the Fair Political Reform Act which is administered by the Fair Political Practices Commission.

An employee's obligation under this policy is in addition to and does not in any way change his or her obligation under RVSD's **Business Ethics Policy**. RVSD employees may not receive a gratuity from any individual, organization, or vendor doing business with RVSD when doing so could influence or be perceived to influence the business decisions of the District.

Employees are required to comply with the Political Reform Act of 1974 and, as appropriate, to complete and file **Form 700-FPPC**, which is a public document, intended to disclose potential conflicts of interest.

## SECTION 5: DEFINITIONS



## DEFINITIONS

**Abuse of Sick Leave** means the misrepresentation of the actual reason for taking sick leave, using sick leave for unauthorized purposes, failure to report sick leave, and may include chronic, persistent or patterned use of sick leave.

**Administrative Leave** refers to paid leave provided to exempt employees in recognition of hours worked above forty (40) in a work week and not compensated for as straight or overtime.

**Alternative Work Schedule** is a regular schedule that is other than the standard work schedule of eight hours per day, five days per week. Examples include a “4/10” schedule (ten hours per day, four days per week) or a “9/80” schedule (eight, nine-hour days and one eight-hour day with one day off on the eight-hour day in a biweekly pay period).

**Anniversary Date** is the date on which an employee has successfully completed a probationary period or has been promoted into a new position. It is distinguished from the date-of-hire which is the first day of employment with the District.

**Authorized Absence** is permission, properly requested in advance, to be absent from duty for a specified purpose, with the right to return before or upon the expiration of the leave.

**Base Hourly Rate** is the base hourly rate will be the hourly rate corresponding to the salary step in the salary scale to which the employee is assigned.

**Base Salary** is the base hourly rate multiplied by the total hours allocated in a calendar month.

**Break in Service** is a break in employment from the District such as a termination or resignation. A break in service does not occur because an employee is on an unpaid status.

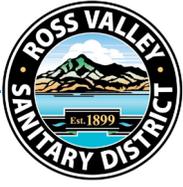
**Calendar Year** is January 1 through December 31 in any one given year.

**Compensatory Time** is time off with pay at the base hourly rate to which an employee is entitled as provided for in this Policy Book or MOU and as allowed by law in lieu of cash compensation.

**Conflict of Interest** occurs during a situation or activity that is incompatible with the employee’s position with the District.

**District** means the Ross Valley Sanitary District (previously known as Sanitary District No. 1 of Marin County) and any of its organizational units or boards and committees; may include Board of Directors, General Manager, a department manager, or a supervisor.

**Day** means calendar day unless stated otherwise such as regularly scheduled workday or regular District business days (Monday through Friday, absent holidays).



**Demotion** is the move of an employee from one class to another class having a lower maximum rate of pay.

**Domestic Partner** is another adult with whom the employee has chosen to share their life in an intimate and committed relationship of mutual caring and with whom the employee has filed a Declaration of Domestic Partnership with the Secretary of State, and who meets the criteria specified in California Family Code section 297. A legal union formed in another state that is substantially equivalent to the California domestic partnership is also sufficient.

**Electronic Communications Resources** include but are not limited to, the internet, mail, voice mail, cellular phones, pagers, personal digital assistants, smartphones, computers, laptops, telecommunications devices, video and audio equipment, wireless networks, data systems, telecommunications equipment, global positioning equipment, location devices, transmission devices, data processing or storage systems, computer systems, servers, networks, input/output and connecting devices, software, District hosted social media, and documentation that supports electronic communications services.

**Emergency Operations** are the performance of District functions or services necessary, in the opinion of the District, to protect or preserve the lives, safety, health, or property of the District and the public and environments served by the District.

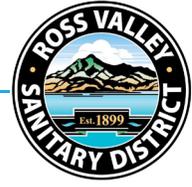
**Employee** means any person legally employed by the District whether part-time, full-time, temporary, probationary, or under an employment contract. Unless otherwise stated, for the purposes of the policies within this Policy Book, members of the Board of Directors are not considered employees.

**Employee Full-Time** is an employee who is employed in an allocated, Board-approved, position that is regularly scheduled for eighty (80) hours of work in each pay period.

**Employee Part-Time** is an employee who is employed in an allocated position that is regularly scheduled for at least twenty (20) hours but less than forty (40) hours of work per pay period.

**Exempt Employee** is an employee who for the purposes of this Policy Book has been designated by the District as exempt from the provisions of the Fair Labor Standards Act (FLSA).

**Excessive Absenteeism** is use of unprotected leave that has an adverse effect on the services provided by the District, the essential functions of the employee's position, or the safety of District employees, and is unreasonable in nature.



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**Essential Functions** are (1) functions employees in a given classification must perform which, if removed from the classification, would fundamentally change the job; (2) the function the employer considers to be fundamental to performing the job; and/or (3) a highly specialized function which requires the incumbent to have special training, expertise or ability in order to perform it.

**Fair Labor Standards Act (FLSA) Overtime** represents hours actually worked in excess of forty (40) hours in a work week. For the purpose of calculating overtime hours under this section, the District will not include any paid time off (for example, sick leave, vacation, and holidays).

Applying FLSA legal standards, the District will compensate an employee for overtime at the rate of one and one-half times the employee's base hourly rate of pay. The provisions of the FLSA are not hereby incorporated into this Policy Book by the mention of the statute.

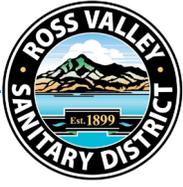
**FTE (Full-Time Equivalent) Position** is the relationship that the position has to a regular full-time position as allocated in the budget (e.g., 1.0 FTE, 0.5 FTE). A regular full-time position is defined as a position which is regularly scheduled to work eighty (80) hours in a pay period.

**Hours Worked** includes all time spent by an employee while engaged in duties or activities required by the District and pursued necessarily and primarily for the benefit of the District. For non-exempt employees, hours worked will also include all hours that work is being performed that the District has authorized.

**Non-Exempt Employee** means an employee designated by the District as covered by the provisions of the Fair Labor Standards Act (FLSA). The provisions of the FLSA are not hereby incorporated into this Policy Book by the mention of the statute.

**Overtime – Non-Statutory – Exempt Employees**, also known as non-statutory overtime. For exempt employees is defined as all hours worked in excess of ninety (90) pay status hours in a pay period. Exempt employees may elect payroll payment or compensatory time for the purposes of accrued overtime related to this definition. Hours worked over ninety (90) in a week must be approved, in advance, by the General Manager.

**Overtime – Non-Statutory – Non-Exempt Employee**, also known as non-statutory overtime or contract overtime. For non-exempt employees, non-statutory overtime is defined as all hours worked in excess of forty (40) hours in pay status in a seven-day work period or in excess of eighty (80) pay status hours in a fourteen (14) day work period that is not required to be compensated as overtime under FLSA rules but is required to be compensated at one and one-half the base rate of pay. Individual employees may waive non-statutory overtime with the consent of the bargaining unit.



**Paid Status** occurs whenever an employee is at work, absent on a paid holiday, absent on leave with pay, or absent on authorized compensatory time off.

**Pay Date** is the date on which each employee will be paid for each hour in pay status and other compensation and falls on the Friday at least seven calendar days after the end of the pay period. When a holiday falls on a pay date, payment will be made on the preceding regular District business day. Direct deposit will be available for all employees entitled to compensation.

**Pay Period** refers to the period of time consisting of fourteen (14) consecutive calendar days and beginning at 12:00 a.m. on a Monday and ending at 11:59 p.m. on the second Sunday thereafter.

**Personnel File** represents the official employee personnel record maintained by the District and kept secure in the offices of the Administrative Services Department.

**Probationary Employee** is an employee who is serving a probationary period in the classification of the position held.

**Probationary Period** describes a period which is used for the adjustment and evaluation of a newly appointed or reassigned employee as provided for in the classification specification for the position.

**Promotion** is the reassignment of an employee from a position in one class to a position in another class which is allocated to a higher salary scale.

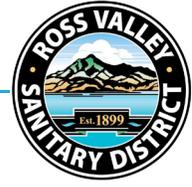
**Regular Rate of Pay** is as defined in the Fair Labor Standards Act (FLSA) and is used for computing statutory overtime for non-exempt employees.

**Regular Workday** for full-time employees consists of eight consecutive hours of work interrupted near the mid-point of the day by an unpaid lunch.

**Regular Work Schedule** means an employee's specific workdays, work weeks, and work shifts, established on a regular, ongoing basis as determined by the District.

**Reprimand** is a written disciplinary action that failure to correct a specific deficiency or deficiencies may result in further disciplinary action(s), including but not limited to suspension without pay, demotion in classification, reduction in base salary, or termination from District employment.

**Salary** means only wages and premiums, but does not include benefits such as insurance, vehicle use, or other economic benefits. Depending on classification, salary will consist of a series of up to six salary steps from lowest to highest in a range.



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**Sanctions** means a type of penalty, ban or restriction imposed for disobeying a policy or rule.

**Spouse** means one or two persons to a marriage, regardless of the sex of the persons, and for purposes of CFRA leave, includes a registered domestic partner.

**Statutory Overtime** is all hours worked, not including non-working hours in paid status, by a non- exempt employee in excess of forty (40) hours in a regular seven-day work period. Statutory overtime does not apply to exempt employees.

**Tardiness** is the failure of the employee to report to work at the commencement of the scheduled shift or workday or the failure to return to work at the scheduled time following a meal break or rest period.

**Transfer** is the movement of an employee from one assignment to another within the same or a substantially similar job classification. Substantially similar refers to duties and no more than a four percent differential in salary.

**Unexcused Absences** are those that have not been approved in accordance with District policy, e.g., absent without calling in, leaving work early without prior approval.

**Work Shift** represents the hours which an employee is scheduled to work within a regular workday.

**Work Week** represents an employee's work week is defined as forty (40) hours of work in a one hundred and sixty-eight (168) hour period between 12:01 a.m. Monday and 12:00 midnight Sunday, inclusive.

**Y-Rated** applies to an employee whose salary is not subject to merit increase, cost of living adjustment or any other increase because the employee's salary exceeds the maximum salary for the employee's classification.