

Agenda

**Sacramento Suburban Water District
Employee Benefits Ad Hoc Committee**

3701 Marconi Avenue, Suite 100
Sacramento, CA 95821

Wednesday, September 1, 2021
4:00 p.m.

This meeting will be conducted both in-person in the District’s Boardroom at the address above, and by videoconference and teleconference using the information provided below. The public is invited to listen, observe, and provide comments during the meeting by any method provided. The Chairperson will call for public comment on each agenda item at the appropriate time and all votes will be taken by roll call.

Due to State guidelines on physical distancing in public gatherings, the Boardroom can accommodate a maximum occupancy of 14 members of the public at one time. Members of the public shall be admitted on a first-come basis with no reservations. When the occupancy maximum of 14 is reached, any remaining individuals will be directed to attend via video/teleconference remotely. Although the Boardroom will be setup to maintain required physical distancing, attendees must follow current State and County requirements. Prior to entry into the building, attendees will be asked to answer COVID-related health questions. Based on the answers, or if attendee refuses to answer questions, entry may be denied. Face masks are required to be worn at all times. Hand sanitizer and masks will be available at the entrance for attendees to use. Additionally, eating and drinking while in the building is prohibited, as it is not possible to maintain face coverings while eating and/or drinking.

The District recommends that members of the public participate in public meetings via videoconference and/or teleconference per the instructions below.

For members of the public interested in viewing and having the ability to comment at the public meeting via Zoom, an internet enabled computer equipped with a microphone and speaker or a mobile device with a data plan is required. Use of a webcam is optional. You also may call in to the meeting using teleconference without video. Please use the following login information for videoconferencing or teleconferencing:

Join the meeting from a computer, tablet or smartphone:

<https://us02web.zoom.us/j/85043558831?pwd=NG4raEZfZHI2d01Kd1tvVnpLd3JTUT09>

Meeting ID: 850 4335 8831

Password: 785793

You can also dial in using your phone: 1-669-900-6833

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Please mute your line.

Where appropriate or deemed necessary, the Committee may take action on any item listed on the agenda, including items listed as information items. Public documents relating to any open session item listed on this agenda that are distributed to all or a majority of the members of the Board of Directors less than 72 hours before the meeting are available for public inspection in the customer service area of the District's Administrative Office at the address listed above.

The public may address the Committee concerning an agenda item either before or during the Committee's consideration of that agenda item. Persons who wish to comment on either agenda or non-agenda items should fill out a Comment Card and give it to the General Manager. The President will call for comments at the appropriate time. Comments will be subject to reasonable time limits (3 minutes).

In compliance with the Americans with Disabilities Act, if you have a disability, and you need a disability-related modification or accommodation to participate in this meeting, then please contact Sacramento Suburban Water District Human Resources at 916.679.3972. Requests must be made as early as possible, and at least one full business day before the start of the meeting.

Call to Order

Roll Call

Announcements

Public Comment

This is an opportunity for the public to comment on non-agenda items within the subject matter jurisdiction of the Committee. Comments are limited to 3 minutes.

Consent Items

The committee will be asked to approve all Consent Items at one time without discussion. Consent Items are expected to be routine and non-controversial. If any member of the Committee, staff or interested person requests that an item be removed from the Consent Items, it will be considered with the action items.

1. Minutes of the June 16, 2021, Employee Benefits Ad Hoc Committee Meeting

Recommendation: Approve subject minutes.

Items for Discussion and Action

2. Employee Handbook Review

Recommendation: Receive information from staff regarding initial updates to the Employee Handbook and discuss staff recommendations on General Manager and Board responsibilities.

Adjournment

Upcoming Meetings:

Monday, September 20, 2021, at 6:00 p.m., Regular Board Meeting

I certify that the foregoing agenda for the September 1, 2021, meeting of the Sacramento Suburban Water District Employee Benefits Ad Hoc Committee was posted by August 25, 2021 in a publicly-accessible location at the Sacramento Suburban Water District office, 3701 Marconi Avenue, Suite 100, Sacramento, California, and was made available to the public during normal business hours.

Dan York
General Manager/Secretary
Sacramento Suburban Water District



Agenda Item: 1

Date: September 1, 2021

Subject: Minutes of the June 16, 2021, Employee Benefits Ad Hoc Committee Meeting

Staff Contact: Dan York, General Manager

Recommended Board Action:

Approve the draft minutes of the June 16, 2021, Employee Benefits Ad Hoc Committee Meeting.

Attachment:

1 – Draft Minutes

Attachment 1

Minutes

Sacramento Suburban Water District
Employee Benefits Ad Hoc Committee
Wednesday, June 16, 2021

Location:

Video and Audio Conference at 1-669-900-6833, or Zoom at Meeting Id # 835 0959 3613
3701 Marconi Avenue, Suite 100, Sacramento, CA 95821

Call to Order – Videoconference/Audioconference Meeting

Chair McPherson called the meeting to order at 3:30 p.m.

Roll Call

Directors Present: Kevin Thomas and Kathleen McPherson.

Directors Absent: None.

Staff Present: General Manager Dan York, Heather Hernandez-Fort, Susan Schinnerer, Matt Underwood, and Jeff Ott.

Public Present: Josh Horowitz, Bill Eubanks, Dave Jones, Robert Wichert, and Craig Locke.

Announcements

General Manager, Dan York (GM York) announced:

- A Financing Corporation Board Meeting is scheduled for Monday, June 21, 2021, at 5:45 p.m.

Public Comment

None.

Consent Items

1. Minutes of the May 3, 2021 Employee Benefits Ad Hoc Committee Meeting

Director Thomas moved to approve the minutes of the May 3, 2021, Employee Benefits Ad Hoc Committee meeting, Chair McPherson seconded. The motion passed by unanimous vote.

AYES:	Thomas and McPherson.	ABSTAINED:	
NOES:		RECUSED:	
ABSENT:			

Items for Discussion and Action

2. Employee Handbook Review

GM York presented the staff report.

Legal Counsel Josh Horowitz (Mr. Horowitz) added that he felt the timeline was appropriate.

Discussion ensued over the timeline of the Employee Handbook update and what would be separated from the Employee Handbook.

Mr. Horowitz expressed he would assist staff with separating what the responsibility of the Board was, versus what the responsibility of the General Manager was.

Chair McPherson stated that she wanted the sections regarding Policy to be cited with reference to when the policy was last approved.

Mr. Horowitz clarified that it would reference when amended the same way all other Board Policies were noted.

Chair McPherson expressed she wanted it to be very clear in the Employee Handbook when each policy was passed, and how each Director voted.

GM York noted staff would begin processing a draft and bring that draft to the Board for review.

The Committee agreed to recommendation 1, to complete the Employee Handbook update by December 31, 2021.

The Committee was split on recommendation 2, to complete the process of updating the Employee Handbook before addressing any changes to the content of the Employee Handbook.

Director Thomas was ok with recommendation 2, while Chair McPherson disagreed, expressing she did not want to stop progress on other items that the Committee was already working on, nor was she interested in only working on the Employee Handbook for the remainder of the year.

GM York stated some of the other Directors expressed at the last Board meeting that they preferred to not piecemeal the Employee Handbook, and he was hopeful that the Committee could focus on working on the Employee Handbook until that was complete, then review the parts of the Employee Handbook that were under the purview of the Board.

Chair McPherson expressed she was aware the other Directors were not interested in looking at the details of the Employee Handbook right now, however, she was not interested in the Committee only focusing on the Employee Handbook for the remainder of the year.

William Eubanks (Mr. Eubanks) supported Chair McPherson's suggestion to note policy changes going forward, but inquired why she felt the need to include how each Director voted in each policy.

Chair McPherson expressed she felt it provided transparency for the rate payers as well as the Directors. She additionally expressed she was only interested in recording each Directors vote going forward.

The Committee agreed to recommendation 1, to complete the Employee Handbook update by December 31, 2021, however they disagreed with recommendation 2.

3. Employee Handbook Review - Sick Leave

Susan Schinnerer (Ms. Schinnerer) presented the staff report and answered clarifying questions.

Chair McPherson expressed she was interested in removing anything that had to do with a payout of sick leave. She additionally stated she was interested in seeing a proposal that would convert unused sick leave to CalPERS service credits upon retirement. She additionally wanted to remove the ability to convert unused sick leave to any deferred compensation credits as well.

Ms. Schinnerer clarified that most agencies do payout sick leave or count it as service credit.

Chair McPherson expressed the benefits for staff were too high, and they should be more realistic. She restated she would like to see any sick leave payout eliminated as she didn't feel it was a paid benefit. She added that the sick leave should be unlimited.

Director Thomas disagreed with Chair McPherson noting he was not interested in making any changes on this at this time. He additionally stated he would be interested in making changes going forward, but that he did not want to take anything away from any current employee that was given to them.

Chair McPherson stated that she was not taking anything away, as the employees had many other benefits, noting she felt this benefit was excessive.

Ms. Schinnerer reminded the Committee that the payout if an employee was over the 240 hours, was at half the employee's rate of pay.

GM York expressed he could bring the item to the full Board with a split vote from the Committee if they wished.

Chair McPherson recommended to complete the process of updating the Employee Handbook before addressing any changes to the content of the Employee Handbook.

The Committee agreed to do nothing until the Employee Handbook update is complete.

Adjournment

Chair McPherson adjourned the meeting at 4:23 p.m.

Mr. Eubanks inquired if Chair McPherson was going to ask for public comment.

Chair McPherson expressed she was not, as the Committee did not do anything so she felt there was no need for public comment.

Mr. Eubanks expressed he had a public comment.

Chair McPherson expressed the meeting was adjourned, so his comments were off record.

Mr. Eubanks commented the he supported Chair McPherson's point of view, expressing staff should not get paid out for sick leave.

Dan York
General Manager/Secretary
Sacramento Suburban Water District



Agenda Item: 2

Date: September 1, 2021

Subject: Employee Handbook Review

Staff Contact: Dan York, General Manager
Josh Horowitz, General Counsel
Susan Schinnerer, Human Resources Administrator

Recommended Committee Action:

Receive information from staff regarding initial updates to the Employee Handbook and discuss staff recommendations on General Manager and Board responsibilities.

Discussion:

As directed at the May 17, 2021 Board Meeting, staff has begun reviewing the Employee Handbook (Handbook), specifically involving provisions that involve employee compensation and benefits programs. Also per Board direction, staff is providing an initial framework for suggested changes to the Handbook. During this review process, staff has and will continue to use Track Changes for all edits to ensure clarity for the Committee/Board.

Though the Employee Handbook's benefits and compensation are listed specifically in Section V., Employee Benefits, and Section VI., Time Off, as staff and District General Counsel Josh Horowitz reviewed the Handbook in detail during the initial process, it became evident that the concepts of "separating" and "removing" parts of the handbook would be difficult to do. Staff, at the suggestion of Mr. Horowitz, has instead found and suggest that for ease of reference, specific sections concerning all board-regulated benefits are appropriately referenced and updated as needed. Preserving employee information in one Handbook, while clearly delineating what is board policy vs. what is under the General Manager's purview, would avoid requiring employees to refer to multiple documents in order to understand their benefits and related employment terms and conditions.

Attachment 1 is an initial draft of the Handbook that lists staff's recommendation as to the responsibility of the content of a particular section: Board, General Manager, or both.

Staff will review their edits with the Committee at the monthly meeting, and information will be presented to the full Board when there are substantial changes to share.

Fiscal Impact:

None.

Attachments:

1 – Employee Handbook (Version August 2021) with Track Changes

August 2021

Section I: Introduction to Handbook - GM

This Handbook is intended to provide all full-time employees of the Sacramento Suburban Water District (“District”) with a general understanding of the District’s human resources policies, procedures and benefits. It is intended to familiarize employees with important information about the District as well as provide information regarding the privileges and responsibilities of District employment. Although it is not an employment contract or legal document, it is important that all employees read, understand and follow the provisions of this Handbook. It may be changed from time to time by the District, and employees will be notified in writing of all changes made. Employees should keep this Handbook and all future changes on file for reference.

Many of the sections in this Handbook are restatements of District policy and procedure as approved by the Board of Directors. All employees are responsible for reviewing District policies and procedures at the start of their employment and periodically thereafter since they are regularly reviewed and updated by the Board of Directors. All policies and procedures are maintained electronically and available for viewing by all employees.

District pay types referenced in this Handbook may differ from those used by CalPERS, the Internal Revenue Service (IRS) and/or Social Security (SS). This difference in terminology is important when calculating individual CalPERS retirement benefits. The definitions used by CalPERS, the IRS and/or SS will govern.

This Handbook cannot anticipate every situation or answer every question about employment, nor can it provide information that answers every possible scenario. Circumstances will undoubtedly require that guidelines, practices and benefits described in this Handbook change. Accordingly, the General Manager reserves the right to modify, supplement or rescind any provision of this Handbook as deemed necessary. Employees will be advised of any and all changes that occur.

The District is constantly striving to improve the efficiency of its operations, the services it provides to customers and the relations with its employees. Employees are encouraged to bring suggestions for improvements to the attention of their supervisor, department manager, the Assistant General Manager or the General Manager. If you have any questions regarding this Handbook, please see your department manager or the Human Resources Coordinator.

By working together, the District believes it will share with its employees a sincere pride in the work place and the services provided to its customers.

Section II: District Mission Statement and Values

Mission Statement

To deliver a high quality, reliable supply of water and superior customer service at the lowest responsible water rate.

Values

- Respect customers while conducting District business through open and transparent governance and communications.
- Practice the highest ethical standards and maintain integrity throughout the organization.
- Ensure public health and safety by conducting operations in strict accordance with all statutory and regulatory requirements.
- Achieve high levels of staff professionalism through career development, including training opportunities, and retention of skilled staff with competitive compensation.
- Maintain sustainable resources and facilities asset management through cost effective business practices.
- Emphasize internal and external collaboration in attaining objectives and resolving issues.
- Provide leadership and vision in water management issues.

August 2021

Section III: Introduction to Employment

A. Open Door Policy - GM

The District promotes an atmosphere in which employees can talk freely with management. Employees are encouraged to openly discuss work-related issues with their department manager so that appropriate action may be taken. If the manager cannot be of assistance, the Assistant General Manager and General Manager are available for consultation and guidance.

B. Equal Employment Opportunity - GM

The District provides equal employment opportunities for all individuals. All employee decisions will be made based on policies and practices that further the principals of equal employment opportunity.

Every member of management is held responsible for assuring non-discrimination in employment opportunities. In addition, all employees, regardless of position, share in the responsibility of maintaining a discrimination-free work environment.

C. At-Will Employment - GM

All employees serve at the pleasure of the General Manager (see California Water Code §30580) and are hired on an “at-will” basis. This means employees may resign at any time, and the District may terminate their employment at any time, with or without cause. “At-will” employment applies to all employee classifications, including Introductory/Regular/Management Employees and Temporary/Seasonal Employees as defined in the District’s Employee Recruitment and Hiring Policy (PL – HR 009). Any offer of employment is conditioned upon passing a background check, receiving a designation of “medically qualified” through a pre-employment physical exam, and other conditions as set forth in the offer letter.

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D. Employment of Relatives and Personal Relationships While Employed - Board

The District’s policy is to hire, promote and transfer employees on the basis of individual merit to avoid any hint of favoritism or discrimination in making such decisions. Even if favoritism or discrimination is not shown, the existence of the situation may precipitate questions difficult to answer or may cause some discomfort for the individual involved. The District may refuse to hire relatives of present employees if doing so could result in actual or potential problems in supervision, security, safety, internal financial control or morale, or if doing so could create potential conflicts of interest. The District defines “relatives” as spouses, registered domestic partners, children, siblings, parents, in-laws and step-relatives.

The employment of relatives as defined above is regarded as a potential violation of the District’s employment practices and will be generally discouraged for all full-time

| August 2021

and temporary positions. This also applies to persons who are not legally married but in the District's judgment, because of their involved personal relationship, may be unduly likely to improperly alter their organizational decisions in favor of their partner.

If two persons should marry or enter into a domestic partnership while both are employed by the District, they may continue their employment in the same position provided that such employment does not adversely affect supervision, security, safety, internal financial control or morale, and if neither initiates or participates in making institutional recommendations or decisions which would directly affect the employment status of the other.

If these criteria are not met, one of the spouses or registered domestic partner must change positions, if one is available and if authorized by the General Manager, or leave the District. The couple will inform the General Manager within thirty (30) days of their marriage or registered domestic partnership as to which of them will a) change positions, if one is available, or b) resign and provide a final date of employment that cannot exceed ninety (90) days. If this decision is not made within thirty (30) days, the General Manager reserves the right to determine, based on the District's business needs, which employee will be transferred, if a position is available, or terminated.

The provisions of this section also apply to employees who establish a personal relationship which, in the District's judgment, has become sufficiently involved to the point where it has become likely that one or both of the employees will make improper organizational decisions in favor of the other.

The General Manager may make an exception to hire a relative of a current employee only if there is a vital District need to fill the position and the relative will not work directly with, or be supervised by, the current employee.

Please refer to the District Employee Recruitment, Hiring and Promotion Policy (PL – HR 009) and Procedure (PR – HR 009) for further information.

| **E. Performance Evaluations and Employee Classifications - GM**

The performance evaluation process is an essential part of the employment experience with the District. Performance evaluations are intended to:

- Help employees better understand their job responsibilities.
- Improve job performance in relation to the District's and the employee's department's goals.
- Measure and enhance employee individual performance.
- Encourage regular attendance.
- Recognize and reward employee contributions by merit salary/pay increases.
- Foster professional development and career growth.

August 2021

Introductory Employees: During the first six (6) months, employees will be assigned to Introductory Employee status and evaluated at least twice, once at approximately three (3) months and once at approximately six (6) months.

Regular or Management Employees: After successfully completing at least six (6) months as an Introductory Employee, employees will be assigned to Regular or Management Employee status and evaluated at the end of their first full year of employment and at least annually thereafter, with more frequent evaluations done as necessary to address significant performance deficiencies.

Employees are also classified as non-exempt/hourly pay or exempt/monthly salary. Non-exempt employees are paid wages for each hour of work performed and are eligible to receive overtime pay according to federal law. Exempt employees are paid on a salary basis for work performed with no overtime pay and are expected to work those hours necessary to complete their duties and responsibilities, which can include core work hours as assigned by the General Manager.

F. Pay Rates and Bands, COLA and Merit Increases – Board/GM

The District has established pay/salary bands that provide minimum and maximum pay rates for each position. An hourly pay rate will be established for each employee upon employment with the District; for exempt staff, the hourly pay rate will be used to calculate the biweekly and monthly salary amounts. Pay rates are subject to change based on performance/merit, Cost of Living Adjustment (COLA) and changes in law or District policy. In determining the hourly pay rates, amounts will be rounded to the nearest cent for payroll purposes. The District also has an incentive pay program for employees who acquire certain additional certifications and licenses that are not required in the class specification for their position. Incentive pay is included in base pay and is subject to overtime and payroll tax withholdings.

The COLA is reviewed on an annual basis by the General Manager to include in the proposed labor budget for the upcoming fiscal year and, upon review and approval of the Board of Directors, will be applied in a manner consistent with the budget schedule. Pay/salary bands will be adjusted based on any approved COLA.

Merit increases, if any, are given based on performance and in accord with current District business circumstances. **There are no automatic pay increases.** The General Manager will recommend merit increases as part of the budget process and the amount approved by the Board will be allocated by the General Manager in a manner that best represents performance level and responsibilities.

Commented [JH1]: Because there are established Board policies related to pay rates, this section should be amended only to reference those policies.

G. Promotions and Transfers - GM

It is the District's intent to promote from within whenever possible; however, it is also in the District's best interest to fill all positions with the most qualified individuals. When opportunities occur, promotions and transfers will be based on an employee's competence, experience and ability to perform the work as determined by the employee's performance and an examination of the employee's personnel records.

August 2021

In general, employees who have been at their present job assignment for at least six (6) months can be considered.

Promotions must be recommended by the employee's current department manager and will be effective upon General Manager approval. Successful candidates may be placed on a 90-day trial period at the discretion of the new department manager or General Manager and evaluated as deemed appropriate by the new department manager. If the employee is unable to perform successfully in the new position, the General Manager, at his/her sole discretion, may return the employee to his/her former position provided the former position, or a comparable level position for which the person is qualified, is available.

H. Work Hours and Meal/Rest Periods - GM

The standard workweek will begin at 12:01 a.m. on Monday morning and end at 12:00 Midnight on Sunday night, and standard work hours are Monday through Friday from 8:00 a.m. to 4:30 p.m. depending upon operational requirements. The General Manager may establish non-standard work hours for certain positions. For all non-exempt/hourly employees, the standard single work day is eight (8) hours and the standard single work week is forty (40) hours. The General Manager reserves the right to make reasonable changes to the standard workweek and/or standard work hours due to changing conditions or for other business reasons at his/her discretion with reasonable notice given to employees to accommodate emergencies and/or workload changes. Non-exempt employees may be required to work overtime or hours other than those scheduled as standard work hours. Exempt employees are required to work during core work hours set by the General Manager, who has determined the District has a legitimate business reason for setting core work hours and confirming equity in the workforce. Core work hours are generally 8:00 a.m. to 4:30 p.m., Monday through Friday, due to supervisory and/or managerial job duties.

Non-exempt employees must take a thirty (30) minute meal period. If the General Manager approves a longer meal period, the daily work hours will be similarly adjusted. In order to allow the business office to remain open during the noon hour, Administrative Services employees performing customer service duties will be required to stagger their meal periods. Two ten (10) minute break periods (one in the middle of the morning and one in the middle of the afternoon) will also be scheduled for non-exempt employees by their immediate supervisors. In addition, recovery periods of no less than five (5) minutes at a time must be allowed and encouraged on an "as needed" basis for all employees working outdoors who feel the need to protect themselves from overheating.

I. Overtime/Compensatory Time Off – GM/Board (see comments)

Due to varying workloads and customer needs, department managers may direct employees to work beyond their standard work hours. All non-exempt/hourly employees will be paid overtime pay at the rate of one and one-half (1-1/2) times their regular hourly rate for up to four (4) hours worked in excess of eight (8) hours in a single work day. All hours worked in excess of twelve (12) hours in a single work day will be paid at two (2) times the regular hourly rate. All overtime hours worked

August 2021

in excess of ten (10) hours in a single work week will be paid at two (2) times the regular hourly rate. All overtime will be measured and reported on time cards in fifteen (15) minute (i.e., .25 hour) increments and will always be rounded up (e.g., 18 minutes of overtime worked will be reported as .5 hours).

Scheduled overtime work will not be performed without the express approval of the employee's immediate supervisor. Emergencies requiring immediate response do not require pre-approval. The standard District workweek for purposes of calculating overtime is from 12:01 a.m. on Monday morning until 12:00 midnight on Sunday night; however, for purposes of calculating the increased overtime pay rate, hours worked in a day will be measured continuously from when the overtime hours began. Non-exempt employees who are not on Standby Duty who are required to work on an approved District holiday will be paid at one and one-half (1½) times their regular hourly rate for the first four (4) hours worked and at two (2) times their regular hourly rate for all other hours worked.

Overtime will be compensated in the form of overtime pay unless the employee authorizes compensatory time off (CTO) in lieu of overtime pay by so indicating on his/her time card. If an employee authorizes CTO, each hour of overtime worked will be credited as 1½ or 2 hours of CTO depending on the conditions under which it was earned. CTO accruals cannot exceed two hundred forty (240) hours and scheduling CTO must be done in a manner consistent with other paid leave benefits. Employees can cash out CTO in fifteen (15) minute (i.e., .25 hour) increments. See Compensatory Time Off (Section VI, item E, in this Handbook) for information on CTO accruals and cash out requirements.

J. Attendance - GM

Good attendance is essential to delivering a high quality and reliable source of water and providing superior customer service, and is an indicator of effective employee performance. It is recognized that employees will have periodic absences for illness or personal matters, but recurring and excessive absences and/or tardiness adversely affects productivity, morale and work flow, and directly impacts the District's ability to serve its customers. The professionalism employees bring to their positions is valued and it is anticipated they will manage their own good attendance; however, attendance guidelines are provided in this Handbook to direct both employees and managers, and it is the responsibility of all employees to understand and abide by these guidelines.

Employees must arrive to work on time, be ready to work, return to work promptly from breaks and meal periods, and complete a full shift. Employees are required to give their immediate supervisors advance notice, when possible, of tardiness or absence. If advance notice is not possible, **personal notification by phone no later than fifteen (15) minutes before his/her regular start time must be provided.** If an employee's immediate supervisor is not available, it is the employee's responsibility to contact the next highest-level supervisor or department manager to insure the information is provided to a person and not simply left on an answering machine.

Commented [JH2]: For discussion. In theory, this would be a "benefit" that the Board might want oversight on. But, as I understand it (and Susan should weigh in on this since I'm not an expert), CTO provided in lieu of overtime pay is regulated by law. If that is true, there may not be any basis or need for changing this provision or subjecting it to Board oversight.

Commented [SS3R2]: The CA Labor Code states that the EE can get CTO if 4 conditions are met: 1) the CTO is per an MOU or written agreement entered into prior to the performance of work. 2) EE has no more than 240 CTO hours, 3) EE has requested it in writing and 4) EE is scheduled to work no less than 40 hours in a week. Since we have no MOU, but the handbook has traditionally provided the ability for CTO, would it be appropriate to have Board AND GM oversight?

August 2021

An unexcused absence is defined as any unexcused failure to be present for work during scheduled working hours (including standby time or overtime). Unexcused absences are not paid. Chronic absenteeism, tardiness or other attendance issues may result in disciplinary action up to and including termination.

If an employee fails to report to work for three (3) consecutive days without notice or supervisor approval, the District may consider the employee has abandoned his/her job and the “at will” employment status may be terminated without further notice.

K. Vehicle Assignment and Personal Vehicle Use - GM

The District will provide vehicles on an as needed/required basis for use during business hours and emergencies. Employees operating District vehicles are responsible for the safe operation of the vehicle in accordance with state law. Employees are required to be in possession of a valid California Driver’s License for the class of vehicle being operated. The revoking of that license for any reason by the State of California, or a driving record deemed unacceptable by the District for any reason, may be sufficient cause for termination of employment. Traffic citations, with the exception of faulty equipment, are the employee/driver’s responsibility. If an employee is involved in an accident, the employee must immediately notify his/her immediate supervisor and should not make any statement concerning the responsibility for the accident to anyone but a District representative. This applies to accidents while operating personal vehicles on District business as well as District-owned vehicles. Cooperation should be extended to law enforcement officers. Failure to comply shall be subject to disciplinary action up to and including dismissal.

Only designated employees will be allowed to take vehicles home after working hours. The General Manager will maintain a list of employees who are authorized to take vehicles home and the basis for each authorization. Any use of District vehicles for personal purposes will be minimal and ancillary to necessary business use (e.g., stopping at a grocery store on the way home from work). On occasion, overtime separated from standard work hours is necessary to accommodate the needs of the District. In such cases, a District vehicle may be assigned to an employee for the duration of the non-standard work hours with prior approval from the employee’s supervisor and department manager. The use of a District vehicle under this circumstance will be on a controlled basis and will be monitored by the employee’s supervisor and department manager.

When District vehicles are not available for use by employees engaged in District business, permission may be obtained from an employee’s immediate supervisor to use a privately owned vehicle. Before an employee can use his/her own vehicle for District business, the employee must have a Proof of Insurance form on file with Human Resources. Reimbursement for use of a private vehicle will be paid at the mileage rate in effect under IRS Regulations and can be obtained by completing the approved District form.

L. ↓
M. Personnel File Maintenance and Access - GM

Commented [JH4]: This is redundant to Section V.K. and the should be deleted.

Deleted: Training¶

¶ Training is an essential element of the District’s conformance with regulatory requirements, the District’s ability to meet its performance goals and its ability to promote employees’ professional enrichment. Training will be conducted using inside and outside resources and on-the-job training. Employees will assist their immediate supervisors in developing personal training plans and work together to meet the elements of those plans; however, it is the employee’s responsibility to take advantage of training opportunities, complete all District mandated training, and obtain and maintain all certifications required for his/her position.¶

¶ **Absent General Manager preapproval, employees will not be paid for time spent outside of normal work hours to study and prepare for certification tests, travel to/from certification courses or tests, or take certification courses or tests, whether the certifications are required for their positions or obtained for incentive pay. The District will reimburse textbook, course and exam costs for employees who successfully pass the test and obtain the certification.¶**

| August 2021

One master personnel file for each employee is securely maintained in the Human Resources Department; electronic files are maintained in the District's OnBase document management system. The general file structure for all master and electronic personnel files includes the following:

- Basic Employee Data
- Benefits
- Selection
- Miscellaneous
- Training/Licenses & Certifications
- Performance Management

These files are confidential with access limited to the following:

1. The Employee: Employees may inspect their own personnel files in the presence of the Human Resources Coordinator. Copies of file documents will be made upon request with the employee charged the actual cost of reproduction. Former employees will also be charged actual postal expenses if they receive requested copies by mail. Employees and former employees must complete and submit a written Personnel Records Request on the District form to be provided by the Human Resources Coordinator. Requested records will be provided within 30 days of receiving the written request.
2. Persons Other Than the Employee: Access to personnel files is limited to the General Manager, Assistant General Manager and Human Resources Coordinator. Managers considering an employee for a promotion or transfer into their department, or management-level administrators for the District's electronic document management program, have access if authorized by the General Manager.

All information and employment verification requests will be directed to the Human Resources Coordinator. Except for authorized disclosure of information as determined by the Human Resources Coordinator and/or General Manager, District employees will not provide personal or employment information or references on former or current employees.

Section IV: Payroll Administration

A. Pay Periods and Time Sheets - GM

Pay periods consist of fourteen (14) calendar days commencing on a Monday and ending on a Sunday. Employees are paid bi-weekly every other Friday. Each paycheck will include pay for all time worked through the Sunday before each payday. If a payday falls on a holiday on which the District offices will be closed, paychecks will be distributed the preceding workday.

Employees are required to accurately record their time and have it approved by their supervisor on the automated time card provided by the District. An approved time card is required to be turned in to the Finance Department by noon on the Monday immediately following the end of the pay period. The time card should include the accurate recording of all holidays and paid leave. In the event an employee is unexpectedly absent from work at the end of the pay period, his/her immediate supervisor will be responsible for completing the time card to the best of his/her knowledge/ability. Adjustments, if any, will be made at the next available pay period following the submission of an approved time card.

B. Paydays and Direct Deposit – GM

Employees are paid every other Friday for the two prior workweeks; paycheck information will be distributed or available by noon. Direct deposit is the preferred method for paychecks.

C. Payroll Deductions - GM

State and federal laws require the District to make certain payroll deductions on its employees' behalf. Amounts withheld vary according to earnings, marital status and number of claimed exemptions. Required deductions include federal and state income tax and FICA (Social Security and Medicare). Employees are responsible for having the correct amounts withheld from their paychecks.

Medical insurance premiums that exceed the “cap” established by the Board of Directors are taken as authorized payroll deductions. Voluntary payroll deductions are available for deferred compensation and cafeteria plan elections, and supplemental insurance and long-term care premiums.

D. Changing Employee Information - GM

Employees are solely responsible for notifying the District of changes in their personal status including, but not limited to, the following:

- Name and/or marital status
- Address and/or telephone number
- Number of family members eligible for dependent benefit coverage

| August 2021

- Emergency contact information
- Changes to deferred compensation
- Payroll tax deductions

All notifications should be sent to Human Resources with the exception of payroll tax deduction changes, which should be directed to the Finance Department.

| **E. Working Out of Class/Temporary Special Assignments - GM**

An employee may be considered Working Out of Class (WOC) if s/he is temporarily assigned to perform the duties of a position in a higher classification for a period of time that exceeds two (2) consecutive working days within a fourteen (14) calendar day period but will not exceed twenty (20) consecutive working days within a thirty (30) calendar day period. After obtaining department manager approval, the employee's pay will be increased by 5% for the WOC period. For work situations known in advance, WOC pay can commence on the first day the employee begins performing the duties of the higher classification if approved by the department manager.

An employee may be considered on Temporary Special Assignment (TSA) if s/he is temporarily assigned to perform the duties of a position in a higher classification for a period of time that exceeds the WOC time period but will not exceed 120 consecutive working days. After obtaining General Manager approval, the employee's pay will be increased to an amount equal to the entry level pay of the salary band for the higher classification, or to an amount which provides an increase of at least 5%, whichever is greater, for the entire period the employee is on TSA.

During any period of WOC/TSA, benefit contributions shall continue without change and employees working Standby Duty shall receive their regular rate of pay not including any temporary pay upgrade.

| **F. Standby Duty - GM**

In order to respond to customer requests and system emergencies that occur outside standard work hours, Distribution and Production Operators will be assigned to perform Standby Duty a minimum of twice per calendar year. Operators are required to read, understand and comply with the District's Standby Duty Procedure (PR – O&M 001).

Additional compensation will be paid an employee for Standby Duty at the rate of fourteen (14) hours straight time for each seven (7) day period. If Standby Duty is less than seven (7) days, the amount of compensation paid will be proportionately reduced. Standby Duty pay will be in addition to any overtime pay for Standby Duty actually worked.

Actual time worked while on Standby Duty will be compensated at the overtime rate subject to a two (2) hour minimum for each call-out that requires a field response. Overtime worked for each field response call-out after the first two (2) hours will be

August 2021

measured in fifteen (15) minute (.25 hour) increments. Responses that can be handled by telephone or electronically through the District's SCADA/GIS system and do not require a field visit will be compensated at the overtime rate subject to a five (5) minute minimum for each response.

For purposes of overtime, travel time from the employee's home to the reporting station and return home will be included in the overtime pay period. An exception will occur if the employee is required to remain on duty until the start of the next regularly scheduled workday; in that case, travel time will not be paid.

A log will be provided by the employee's immediate supervisor or department manager for the express purpose of reporting all call-out time while on Standby Duty. These call-out hours should also be listed on the weekly timesheets for review and approval by the employee's immediate supervisor.

All employees performing Standby Duty are required to be appropriately certified by the California State Water Resources Control Board/Division of Drinking Water as determined by the District.

The District will compensate in-lieu holiday(s) for the Standby Duty employee whose shift includes District recognized holiday(s) by giving the employee additional vacation hours equal to the number of holiday hours within the assigned Standby Duty shift. Employees may not take any personal holidays while on Standby Duty.

G. Call-Back Compensation – GM/Board

An emergency may arise which requires additional response resources beyond the employee assigned to Standby Duty. An employee will receive call-back pay whenever s/he is unexpectedly required to return to duty because of unanticipated work requirements if it is after the end of standard work hours and the employee has already left the District office. If an employee is unable to respond to the call-back request due to a valid reason (e.g., s/he is alone babysitting children) or an impaired condition (e.g., s/he has been consuming alcohol), the employee is responsible for notifying his/her immediate supervisor.

If an employee is not on Standby Duty, has left the District office and receives a call-back request, the employee will be compensated at the overtime rate subject to a two (2) hour minimum. Overtime worked after the first two (2) hours will be measured in fifteen (15) minute (.25 hour) increments. For purposes of overtime, travel time from the employee's home to the reporting station and return home will be included in the overtime pay period. An exception will occur if the employee is required to remain on duty until the start of the next regularly scheduled workday; in that case, travel time will not be paid.

A log will be provided by the employee's immediate supervisor or department manager for the express purpose of reporting all call-back time. These call-back hours should also be listed on the weekly timesheets for review and approval by your immediate supervisor.

August 2021

H. Incentive Pay – GM/Board

Non-exempt Regular employees are eligible to receive incentive pay that is in addition to their regular pay if they acquire additional certifications and licenses deemed necessary to the operation of the water utility that are not required for their position. If an employee meets the minimum certification requirements for their current position, s/he will be eligible to receive incentive pay for the following additional certifications and/or licenses:

- Class “A” Driver’s License is compensated at \$1.00 per hour;
- One California State Water Resources Control Board/Division of Drinking Water Certification above the required level for your position is compensated at \$.50 per hour;
- One California State Water Resources Control Board/Division of Drinking Water Certification that is not required for your position is compensated at \$.25 per hour; and
- One other certification that is not required for your position is compensated at \$.25 per hour.

Exempt Regular or Management employee may be eligible for incentive pay subject to approval by the General Manager.

Absent General Manager preapproval, employees will not be paid for time spent outside of normal work hours to study and prepare for certification tests, travel to/from certification courses or tests, or take certification courses or tests, whether the certifications are required for their positions or obtained for incentive pay. The District will reimburse textbook, course and exam costs for employees who successfully pass the test and obtain the certification.

Please refer to the District’s Employee Certification and License Incentive Program Procedure (PR – HR 006) for further information and program requirements.

I. Meal Allowance - GM

A meal allowance is provided for employees authorized to work at night or on weekends beyond standard work hours (8:00 a.m. to 4:30 p.m.) or beyond alternate work hours approved by the General Manager. Authorized work must extend beyond standard or alternate work hours a minimum of two (2) hours, or in the case of an emergency call out (after hours, weekends or holidays) for a minimum of four (4) hours, to qualify for a meal allowance.

J. Expense Reimbursements - GM

Please see PR – Fin 002 Disbursement Procedure for employee expense reimbursement guidelines.

Section V: Employee Benefits - Board

A. General

The District reserves the right to change the benefits described in this section at any time based upon the business needs of the District and its customers subject to any legal limitations imposed by federal and/or state law on benefit changes. Whenever possible, the District will provide employees with advance notice of any benefit changes. Although employees may receive different benefits, or benefits under different conditions, it is also possible they will lose benefit coverage. Loss of coverage may happen at any time, even after retirement, if the District's Board of Directors decides to terminate a benefit program or coverage under a benefit program. Except as required by law, employees will not become entitled to any vested rights under any of the benefits provided by the District with the exception of vesting rights granted to members in the CalPERS retirement system.

Commented [JH5]: This introduction should be revised to include appropriate language reference new board policy(ies) on employee benefits.

B. Definitions

As used in this section, "dependent" includes an employee's spouse, registered domestic partner, unmarried children/stepchildren up to age 19, and older children who qualify under the terms of coverage or current state and/or federal law. Wards as determined in a legal guardianship proceeding are also considered dependents under the definitions for unmarried children/stepchildren. A copy of a marriage license, domestic partnership declaration (State of California Form NP/SF DP-1), birth certificate, or other identifying paperwork may be required to confirm eligibility for dependent coverage.

As used in this section, "full-time" refers to all Introductory/Regular/Management employees.

C. Retirement

The District is a member of the California Public Employees Retirement System (CalPERS) of the State of California and all full-time employees are covered under that retirement system. The District reserves the right to change its contract with CalPERS and/or the amount of the District's contribution toward the employee's share of the CalPERS payment within the limits prescribed by law.

Commented [JH6]: I do not believe that this section needs to be part of a board benefits policy. CalPERS retirement is a vested right and cannot be changed except as provided by the Public Employees Retirement Law and California Rule. Since The law doesn't allow any discretion and SSWD is already a PERS contractor, the Board effectively has no control over retirement benefits at this point.

Employees hired on or after January 1, 2013, who are not "Classic Members" as defined by CalPERS are eligible for membership in the CalPERS Local Miscellaneous Members 2% at age 62 retirement plan with the monthly retirement income determined by age at retirement, years of credited service and "Three-Year Final Compensation." Employees hired on or after January 1, 2013, who are "Classic Members" as defined by CalPERS, or current employees hired between September 25, 2006 and December 31, 2012, are under the 2% at age 55 plan and "Three-Year Final Compensation." Current employees hired prior to September 25, 2006, are under the 3% at age 60 plan and "One-Year Final Compensation."

The earliest retirement from CalPERS is either age 52 under the 2% at age 62 plan, or age 50 under the 2% at age 55 and 3% at age 60 plans, with a minimum 5 years of service. There is no mandatory retirement age.

Under the CalPERS 2013 Pension Reform Act, employees hired on or after January 1, 2013, who are not “Classic Members” are required to pay one-half (1/2) of the “normal cost” of the retirement plan up to a maximum of 8% of the total retirement contribution. The District currently pays the employee’s share of the retirement contribution for “Classic Members” and employees hired before January 1, 2013, subject to any future action by the District’s Board of Directors and CalPERS regulations.

Pensionable, or PERSable, wages for full-time employees hired prior to January 1, 2013, include Base Pay, Incentive Pay and Uniform Allowance (which includes the annual cost of the uniform and its maintenance). For full-time employees hired on or after January 1, 2013, PERSable wages do not include any Uniform Allowance.

An employee’s actual compensation at the time of retirement will be computed by CalPERS’ Retirement Section. Employees are responsible for attending any retirement education classes required by CalPERS prior to submitting an application for retirement benefits directly to CalPERS. Employees are encouraged to contact Human Resources or CalPERS several months prior to their anticipated retirement date for additional information.

In the unfortunate event of an employee’s death, basic death benefits will be available for the employee’s qualified beneficiary(ies). These benefits include a refund of accumulated retirement contributions and additional benefits depending upon the employee’s length of CalPERS membership. If the employee has five (5) or more years of service and reached the minimum age for service retirement, further protection will be available to the employee’s surviving spouse under the 1957 Survivor Benefit. Under this benefit, the surviving spouse can elect to receive either the basic death benefit or a monthly income equal to one-half (1/2) of the unmodified retirement allowance the employee would have been eligible to receive as of the date of the employee’s death. The monthly income lasts until the surviving spouse’s death or remarriage with a guarantee that CalPERS will pay as much as under the basic death benefit. Upon death or remarriage of the surviving spouse, the benefit will be continued to natural or adopted unmarried children under age 18.

Upon termination of employment prior to retirement with five (5) or more years of service, an employee may either 1) leave his/her contributions with the CalPERS Retirement System and receive, upon attaining retirement age, the retirement benefit earned; or 2) withdraw his/her contributions (plus interest) to terminate the employee’s CalPERS membership and entitlement to any retirement benefits.

D. Group Medical Insurance

| August 2021

All full-time employees and their dependents may participate in the medical care plans offered by the District which are administered through the CalPERS Health Benefit Services Division.

Coverage begins on the first day of the first full month following hire date. All co-payments are the employees' responsibility. CalPERS currently has an annual Open Enrollment period during which employees can change their medical insurance plans. It is important that employees immediately notify Human Resources if there is any change in their address, marital status or eligible dependents.

If an employee's group medical insurance benefits end due to specified qualifying event, the employee and/or a dependent losing coverage may elect COBRA continuation coverage under the District's medical insurance plan for a limited period and at the employee's expense. A qualifying event includes any of the following:

1. For The Employee: Termination of employment or reduction of hours worked so as to render the employee ineligible for coverage.
2. For Dependents: Death, divorce or legal separation; loss of coverage due to the employee or dependent becoming eligible for Medicare; or the loss of dependent status under the group plan.

If an employee is otherwise eligible for District medical insurance benefits but submits proof annually that his/her benefits are provided by his/her parent's or spouse's employer or retirement plan, the employee will be paid one-half (½) of the lowest cost plan premium offered by CalPERS based upon the number of dependents that would have been eligible for District coverage. If the employee becomes ineligible for medical insurance benefits, including those covered by a parent who automatically becomes ineligible at age 26 per the Affordable Care Act, these payments will cease without further notice. The Internal Revenue Service (IRS) considers this a taxable benefit; therefore, the District is required to report such payments in lieu of District-provided medical insurance coverage on the employee's Form W-2.

E. Group Dental Insurance

The District provides dental insurance for full-time employees and their eligible dependents. Coverage begins on the first day of the first full month following hire date.

F. Group Vision Insurance

The District provides vision insurance for full-time employees and their eligible dependents. Coverage begins on the first day of the first full month following hire date.

G. Group Life and Disability Insurance

Full-time employees are covered by a group life insurance plan. Coverage begins on the first day of the first full month following hire date. The amount of life insurance provided is equal to two (2) times the employee's base annual pay/salary. Additional

August 2021

life insurance coverage of \$10,000.00 is provided for each eligible dependent (a dependent child less than 6 months old is covered for \$500.00; this amount automatically increases to \$10,000.00 at age 6 months and continues until age 26 years, or longer if a child is shown to be incapable of self-support due to mental or physical incapacity). Full-time employees are also covered for Accidental Death and Dismemberment (AD&D) for two (2) times the employee's base annual pay/salary. Upon termination of employment, group life and AD&D insurance will be canceled and the former employee may elect to convert group life insurance to individual life insurance at his/her own expense.

The District also maintains short-term and long-term disability insurance for full-time employees. The maximum amount of disability insurance is two-thirds (2/3) of an employee's monthly pay up to a maximum coverage of \$7,000.00 per month, less any payment through Workers' Compensation insurance, Medicare, Social Security or any other source of income as defined by the carrier. Short-term disability insurance coverage begins on the 31st day of the disability with a maximum benefit period of nine (9) weeks. Long-term disability coverage can begin as early as the 91st day of the disability. Disability is defined by the carrier.

Accrued sick leave, and other accrued paid leave after sick leave is exhausted, can be used to supplement short-term disability equal to the difference between the employee's regular pay and the amount received in disability benefits. This coordination of benefits is required if the short-term disability leave is designated as PDL or FMLA/CFRA leave. Only paid vacation, compensatory time off (CTO) and administrative leave can be used to supplement long-term disability. Paid leave will not be earned or accrue during disability leave unless the employee is coordinating benefits.

The District will pay premiums for continuation of group insurance coverage during short-term and long-term disability leave; retirement payments will be made only if the employee is coordinating benefits. If an employee is unable to return from leave and his/her employment is terminated, the former employee is no longer eligible for group disability coverage. Any individual disability payments being received can continue as determined by the disability carrier.

H. Workers' Compensation Program – GM

All employees and volunteers are covered by the District's Workers' Compensation Program. Any on-the-job injury, illness or other condition that could cause physical, mental or emotional injury must be immediately reported to the employee's supervisor, or his/her designee, who will complete the Workers' Compensation Claim Form (Form DWC 1) to provide to the employee and the Supervisor's Report of Injury. The signed Form DWC 1 and the Supervisor's Report of Injury are then forwarded to the Human Resources Coordinator to complete the Employer's Report of Occupational Injury or Illness Form (Form 5020) to forward to the Workers' Compensation insurance provider.

If an employee is absent due to a work-related injury or illness, the employee may elect to apply accrued sick leave on a prorated basis in order to receive compensation

Commented [JH7]: Since the Board may change all of these benefits and they are mainly discretionary (except as subject to the 2002 LAFCO order forming the District), all of these benefits should be subject of a board policy or policies for regular oversight.

But, as I told Dan when we met, the word "removal" that we have been using is not accurate because the Employee Handbook still needs to list and describe all benefits offered although with reference to the appropriate board policy.

August 2021

equal to the difference between the employee's regular pay and the amount received in Workers' Compensation benefits. If all of the employee's sick leave has been used, the employee may then elect to use other paid leave. Before returning to work, the employee will be required to provide a medical release allowing for the return to duty with or without any medical restrictions, and the employee may also be required to submit a fitness for duty certification.

The District will pay premiums for continuation of group insurance and retirement benefits during the first ninety (90) days of Workers' Compensation leave. If an employee elects to utilize accrued sick leave, vacation and other paid leave in coordination with Workers' Compensation benefits, this ninety (90) day period will begin after the employee has exhausted all of his/her paid leave and/or is no longer receiving an amount equal to his/her regular pay. Thereafter, the employee must reimburse the District for the premium costs of group insurance benefits if s/he wishes to remain covered under the group plan and if continued coverage is allowed under the terms of the particular insurance plan. Sick leave will not accrue after the first ninety (90) days of Workers' Compensation leave; if paid leave is not used to coordinate benefits, other paid leave will not be earned or accrue during any period of Workers' Compensation leave. All leave earnings will recommence when the employee has been cleared to return to work.

It is your responsibility to report immediately to your supervisor, or the supervisor's designee, any injuries, regardless of severity. You must also provide medical information to your supervisor immediately following every medical appointment.

I. Employee Assistance Program - Board

The District provides an Employee Assistance Program (EAP) for full-time employees. Coverage begins on the first day of the first full month following hire date. The District encourages employees to utilize the services provided by the EAP as needed. This program offers quick and easy access to confidential, professional assistance and resources that can help employees address difficulties related to emotional concerns, relationships, substance abuse, and legal and financial concerns.

J. Optional Benefits

The District may offer optional benefits that full-time employees can voluntarily elect to purchase at their own expense. Optional benefits may include any or all of the following plans:

- Deferred Compensation;
- Supplemental Insurance; and
- Flexible Spending Account/Cafeteria Plan.

Information regarding the availability of optional benefits is provided upon hire and annually; further details and plan requirements are provided to interested employees directly by the plan providers.

Commented [JH8]: These benefits should be subject of a board policy, even though funded by employee contributions. If nothing else for a policy to state that these benefits will be provided subject to be wholly funded by employee contributions. Deferred comp and supplemental insurance were abused at Carmichael.

K. Educational Assistance Program – Board/GM

Commented [JH9]: Educational and training benefits should be subject to a board policy since they are discretionary and must be budgeted for.

The District encourages full-time employees to participate in educational and training activities. In addition to increasing employee job proficiency, this education should improve work force stability and the District's ability to attract and retain outstanding employees. The education program is available to all regular full-time employees.

On-Duty Education: An employee may, with prior approval, attend seminars, conferences, workshops, cross-training activities or meetings during regular working hours that provide specific training in subjects related directly to the employee's position with the District, or one the employee may reasonably aspire to. All departments will annually review and identify areas of training required to maintain technical and administrative capabilities. Specific schools, conferences and/or seminars are to be listed on budget submission requests whenever applicable and available. General Manager approval for all requests for this training must be obtained prior to attendance and/or making reservations. Fees, tuition, and approved expenses will be paid by the District; however, for courses and tests required to obtain or renew a license or certification required in the class specification for the position, the employee will be reimbursed for fees, tuition and approved expenses only after successfully obtaining the required license or certificate.

Off-Duty Education: Educational assistance is available to employees who desire to obtain skills and/or knowledge that will enable them to become more proficient in their present duties and/or prepare them for future assignments. District participation is subject to the prior approval of the General Manager. This education may occur after standard work hours at a college vocational trade school or through a self-study correspondence course that leads to a certificate, license or diploma related to the general functions of the District. Under special circumstances, employees may attend classes during standard work hours if: 1) the course is not (and will not) be available at night or through a correspondence or online course; 2) the course pertains to a District approved degree program; and 3) the employee arranges a flexible work schedule approved by his/her supervisor and department manager to make up time spent at any class attended during standard work hours.

The following qualify as off-duty education subject to General Manager approval:

- Degree (Associate, Bachelor, Masters, other as approved) from an accredited college or university or a professional/trade institution approved by the General Manager;
- Specific courses taken for credit related to water functions;
- Specific courses taken for credit related to support functions of the District (e.g., accounting, secretarial, welding, chemistry, computer, computer-aided drafting);
- Specific courses resulting in or maintaining certificates or professional licenses;
- Self-study/correspondence or online courses from reputable institutions with final exam and certificate in subjects related to District functions;
- Costs of obtaining or retaining professional certificates or licenses; and
- Other programs deemed appropriate by the General Manager.

August 2021

Any District financial assistance for an approved off-duty educational program will be implemented by a separate written contract between the employee and the District. The course of study the employee desires to pursue must be approved in advance. The employee will be required to pay the full cost of the course and related expenses in advance. Upon completion of the course with a minimum final grade of "C" (passing grade) or equivalent, the employee may request District reimbursement upon presentation of written verification of the final grade from the institution. Funds received from outside sources, such as scholarships or Veteran's Education Benefits, must be applied to the cost of the program first and any remaining cost may be reimbursed by the District. Unless other arrangements have been approved, the reimbursement check will be issued after the employee provides his/her grade report and evidence of expenses (e.g., receipts, canceled checks). Types of expenses available for reimbursement include tuition, books, classroom materials, parking and other required direct classroom costs of the educational program.

Degree programs for off-duty education require a minimum of three (3) years of employment with the District following completion of the degree requirements for total financial assistance from the District. If an employee leaves the District after two (2) years following the completion of the degree requirements, financial assistance from the District will be one-half (½) the cost of the degree program with the remaining one-half (½) paid by the employee through a deduction from the employee's final paycheck(s). If an employee leaves the District after one (1) year following completion of the degree requirements, the employee will be responsible for reimbursing the District in full for the cost of the degree program through a deduction from the employee's final paycheck(s).

Reimbursement for any and all approved off-duty education or educational programs will not exceed \$5,000.00 per calendar year or a total of \$20,000.00 during the employee's career with the District. All reimbursements are subject to Board budgetary allocations.

L. Post-Retirement Benefits - Board

1. **Medical Insurance:** Full-time employees who retire from District employment and their qualified dependents are eligible for CalPERS medical insurance coverage. Employees must retire within 120 days of their permanent separation from District employment to qualify for CalPERS retiree medical coverage.

If an employee was hired before January 1, 2003, is covered by CalPERS medical insurance at the time of retirement, and retires from the District after attaining age 50 with at least five (5) years of qualifying service with the District, the employee and his/her qualified dependents are eligible for post-retirement coverage that will be paid by the District up to the higher of the lowest-cost HMO or PPO plan offered by CalPERS.

If an employee was hired on or after January 1, 2003, is covered by CalPERS medical insurance at the time of retirement, and retires from the District after attaining age 50 or 52 (as required by the employee's retirement plan) with at least five (5) years of qualifying service with the District, the employee and

Commented [JH10]: Post-retirement benefits should be subject to board policy, although there are limits at least currently because of vesting rules, PEMHCA, and the 2002 LAFCo resolution, which limits board discretion to change benefits at will, at least for certain existing employees.

his/her qualified dependents are eligible for post-retirement coverage up to the higher of 1) the higher of the lowest-cost HMO or PPO plan offered by CalPERS, or 2) the CalPERS “100/90 Formula.” The District’s contribution toward the employee’s post-retirement coverage will be a percentage of the post-retirement coverage cost based on the employee’s total credited years of qualifying CalPERS service under the following CalPERS vesting schedule:

<u>Credited Years of Service</u>	<u>Percentage of District Contribution</u>
10	50
11	55
12	60
13	65
14	70
15	75
16	80
17	85
18	90
19	95
20 or more	100*

*90% for dependents under the “100/90 Formula” plan

Retirees may choose any medical plan offered by CalPERS during annual open-enrollment, but are responsible for the payment of the medical plan costs that exceed the District’s contribution toward post-retirement coverage.

2. Dental and Vision Insurance: Full-time employees who retire from the District and their qualified dependents are eligible for dental and vision insurance coverage. Employees must retire within 120 days of their permanent separation from District employment to qualify for retiree dental and vision coverage.

If an employee was hired before January 1, 2003, the employee and his/her qualified dependents are eligible for coverage that is currently fully paid by the District. If an employee was hired on or after January 1, 2003, the District’s contribution toward the employee’s post-retirement coverage after a minimum of ten (10) years of qualifying service with the District will be a percentage of the total monthly cost based on the employee’s total credited years of qualifying CalPERS service under the CalPERS vesting schedule for medical insurance as shown above.

3. Benefits After the Death of the Retired Employee: Dependent benefits will continue after the death of the retired employee until the earliest of the following:
 - a) Death of the spouse or registered domestic partner;
 - b) The spouse remarries or the registered domestic partner re-registers; or
 - c) The spouse or registered domestic partner returns to the work force where comparable benefits are available, or become available from another source, at which time the benefits provided by the District will be reduced or terminated. In cases where a spouse or registered domestic partner obtains comparable benefits, s/he will notify the District they have

August 2021

obtained such benefits. A spouse's or registered domestic partner's failure to notify the District that s/he has obtained comparable benefits from another source will be cause for immediate termination of all District-provided benefits.

Section VI: Time Off – Board

All time off amounts in this section are annual and earned on a pro-rata basis as of each payroll period through the year.

Commented [JH11]: Vacation benefits should be subject to board policy since amounts of vacation granted and programs like vacation buy-back are discretionary. Those items that are legally mandated and not subject to District control like the requirement to payout any unused vacation at separation should not be subject to policy.

A. Vacation

The District recognizes the value of rest and relaxation and encourages employees to use their accrued vacation benefits.

Introductory, Regular and Management employees earn vacation under the following schedule:

<u>Time in Service</u>	<u>Hours Earned</u>
Hire date to the 6 th Anniversary	96 hours/year (12 days/year)
Over 6 Years	120 hours/year (15 days/year)
Over 12 years	128 hours/year (16 days/year)
Over 13 years	136 hours/year (17 days/year)
Over 14 years	144 hours/year (18 days/year)
Over 15 years	152 hours/year (19 days/year)
Over 16 years	160 hours/year (20 days/year)
Over 17 years	168 hours/year (21 days/year)
Over 18 years	176 hours/year (22 days/year)
Over 19 years	184 hours/year (23 days/year)
Over 20 years	192 hours/year (24 days/year)
Over 21 years	200 hours/year (25 days/year)

August 2021

(Note: Employees who currently earn two hundred (200) hours or more of vacation time per year will continue to accrue vacation at their current rate as long as their employment remains continuous until retirement. Employees who would be eligible to earn thirty (30) days of vacation per year by October 31, 2003, under the policy of the former Northridge Water District will earn thirty (30) days per year upon completion of twenty (20) years of service.)

Vacation benefits will accrue starting with the first full pay period following the employee's hire date, with first available usage starting after ninety (90) days of service unless otherwise approved by the employee's department manager. No vacation accrues during a leave of absence except in situations involving a Workers' Compensation leave when vacation will continue to accrue for the first ninety (90) days of such absence. Vacation accruals will recommence when the employee returns to work.

Employees may accrue a maximum of 400 hours of vacation regardless of age. Those over the 400 hour cap will be paid once per year in December for all accumulated vacation exceeding 400 hours at their regular rate of pay, which specifically does not include any temporary pay upgrade for Working Out of Class/Temporary Special Assignments. The amount paid will be included in a regular paycheck prior to December 31st unless the employee provides written notification to the Finance Department by November 15th that the cash out amount is to be paid 1) by separate paycheck, or 2) into a designated deferred compensation plan provided through the District if the employee has determined that s/he has not yet reached the IRS maximum contribution limit (it is the employee's responsibility to make this determination and then instruct the District as to the amount to be deferred).

An employee may cash out unused vacation at any time, with the approval of the General Manager or his/her designee, so long as the employee has taken at least forty (40) hours of vacation or administrative leave within the prior twelve months. All cash out requests must be in fifteen (15) minute (i.e., .25 hour) increments. The General Manager or his/her designee will have the authority to waive this requirement in the event of a hardship. At separation of employment, the employee will be paid for all unused vacation based on his/her rate of pay at the time of payment.

If an employee becomes ill while on vacation and desires to claim sick leave rather than vacation, the employee must make a request through his/her immediate supervisor as soon as possible after becoming ill. The District may require a medical verification for any period of sick leave requested while the employee was on vacation.

Vacation schedules will be arranged as early as possible each year and time used must be reported on timesheets in fifteen (15) minute (i.e., .25 hour) increments. An employee should request time off for vacation at least fourteen (14) calendar days in advance. Requests for time off exceeding two (2) consecutive weeks require one (1) months' notice, approval from the employee's immediate supervisor, and the General Manager's final approval.

Deleted: Employees who have reached age 55 will be allowed to accumulate unused vacation without limit
Deleted: under age 55
Commented [SS12]: Per Board approval on 5/17/2021

August 2021

The District will endeavor to grant vacation as requested; however, the District reserves the right to schedule or assign vacation in accordance with its operating needs. If a vacation conflicts with the needs of the District, it will be rescheduled at a mutually agreeable date determined by the General Manager, the employee's immediate supervisor and the employee. The General Manager reserves the right to approve or deny a vacation request, or cancel a previously-approved vacation request, consistent with the operational needs of the District.

Employees who hold the position of General Manager, Assistant General Manager, or Finance Director, or are employed in the utility billing, accounting or treasury functions of the District, are required to take five (5) consecutive days of vacation, administrative leave, sick leave or other time away from work (e.g., business conference) at least once during the calendar year.

If an exempt employee is absent without excuse, the employee will be required to use vacation or sick leave. On any District scheduled half-day holiday, exempt employees, if on vacation or using sick leave, must charge the non-holiday time against their accrued vacation time, unused administrative leave or sick leave.

B. Administrative Leave – Board

Commented [JH13]: To the extent Admin. Leave is a discretionary grant, it should be subject to board policy.

The following exempt employees will receive five (5) days per calendar year of annual administrative leave in recognition of work performed over and above the standard 40-hour schedule:

- Assistant General Manager
- Executive Assistant to the General Manager
- Human Resources Coordinator
- Finance Director
- Engineering Director
- Managers
- Associate and Senior Engineers
- Superintendents
- Supervisors

The District may add positions to this list as new positions are created or job duties or titles are changed.

Administrative leave is to be attributed to the above-listed exempt employees at the beginning of each calendar year. Exempt employees on a protected leave at the beginning of a calendar year will be eligible to receive the full amount of annual administrative leave when they are able to return to work. Exempt employees who are either beginning their employment with the District or returning from any other approved leave after the first of the year will be eligible to receive prorated administrative leave as follows:

- January 1-February 28/29: Five (5) days of administrative leave
- March 1-April 30: Four (4) days of administrative leave
- May 1-June 30: Three (3) days of administrative leave
- July 1-August 31: Two (2) days of administrative leave

August 2021

- September 1-November 30: One (1) day of administrative leave
- December 1-31: No administrative leave will be received for the current calendar year.

An exempt employee who leaves District employment will receive compensation for any unused administrative leave based on their salary at the time of separation. If extenuating circumstances prevent an exempt employee from taking all of his/her administrative leave by the end of the calendar year, the employee can carry over to the next calendar year up to a maximum of ten (10) days. At the beginning of each calendar year, new administrative leave will be received only up to the maximum amount of ten (10) days.

C. Holidays – GM/Board

Introductory, Regular and Management employees will receive thirteen (13) paid holidays per year. The General Manager will designate the specific holidays and dates each year for closure of District business offices which will include the following standard holidays:

- | | |
|----------------------------------|------------------------|
| New Year's Day | Labor Day |
| Martin Luther King, Jr. Birthday | Thanksgiving |
| Presidents' Day | Day After Thanksgiving |
| Memorial Day | Christmas Day |
| Independence Day | |

An employee must be in paid status on the closest work day either before or after a holiday in order to receive holiday pay.

The General Manager will designate additional specific holidays and corresponding dates up to the total of thirteen (13) per year. If the General Manager designates less than thirteen (13) holidays and corresponding dates, employees will receive the number of personal holidays necessary to reach a total of thirteen (13) holidays per year. Newly hired employees will receive prorated personal holidays as determined by the General Manager. An employee who leaves District employment will receive compensation for any unused personal holidays based on their pay/salary at the time of separation. Unused personal holidays will carry over to the next calendar year up to a maximum of six (6) days. At the beginning of each calendar year, new personal holidays will be received only up to the maximum amount of six (6) days. A personal holiday must be taken as a full day and scheduled in advance with the approval of the employee's immediate supervisor. Employees may not take any personal holidays while on Standby Duty.

D. Sick Leave

When an employee is absent from work, it affects everyone in his/her department and the District as a whole. Sick leave should be viewed as a form of insurance that is accumulated in order to minimize the economic hardships that may result from extraordinary, unexpected or emergency need to take time off, such as short-term

Commented [JH14]: For further discussion – I tend to believe that if the District grants holidays consistent with federal and state holiday schedules, this is a matter within the General Manager's control and does not need board oversight. But to the extent that only certain (and fewer than declared by federal and state authorities) holidays are granted here and the remainder of the holidays are discretionary and subject to carry-over, some board oversight might be appropriate.

Commented [JH15]: Also for further discussion because of the "hybrid" nature of this benefit. To the extent sick leave is now regulated by law, there is no board or management discretion. But to the extent SSWD grants sick leave benefits in excess of legal mandates, there probably is a role for the Board in overseeing the number of additional sick leave days granted and how those discretionary days are used and accounted for beyond any legal requirements (e.g., PERS crediting requirements).

illness or injury to an employee or a covered family member, which includes the employee's spouse, registered domestic partner, child/stepchild, parent/stepparent, sibling, grandparent and grandchild. Time off for medical and dental appointments will be treated as sick leave, and visits related to pregnancy, regardless of the employee's marital status, will also be allowed if medical verification is provided. Advance notice and approval of scheduled medical, dental, vision and related appointments is required to avoid work group calendar conflicts and coverage concerns. Sick leave is not intended to be used in lieu of vacation. The General Manager has discretion to approve or deny the use of sick leave.

Sick leave benefits for Introductory/Regular/Management employees accrue at the rate of twelve (12) days (or 96 hours) per year starting with the employee's first full pay period following his/her hire date. If an employee resigns or is terminated, all sick leave benefits are forfeited. Sick leave does not accrue after the first ninety (90) days of a Workers' Compensation leave and cannot be used for any sickness or injury sustained while an employee is on a leave of absence without pay.

It is the employee's responsibility to notify his/her immediate supervisor of a sick leave absence no later than fifteen (15) minutes before his/her regular start time. Sick leave used must be reported on timesheets in fifteen (15) minute (i.e., .25 hour) increments.

A medical verification from an employee's or immediate family member's health care provider confirming an office visit may be required by the District. For any sick leave absence exceeding three (3) consecutive work days (unless the employee is using protected sick leave/kin care as discussed below), the employee must provide a medical verification to his/her immediate supervisor. For extended illness or injury absences, a medical verification confirming the necessity of a continued absence will be required, and the employee may be required to submit a medical release and/or fitness for duty certification from the health care provider confirming s/he is able to return to work with or without restrictions. The District retains the right to require a medical verification for an employee's or immediate family member's claimed illness or injury at any time.

Employees may use up to six (6) days of protected sick leave/kin care per calendar year for the diagnosis, care or treatment of the employee's or a covered family member's existing health condition, or if the employee is a victim of domestic violence sexual assault or stalking. No medical verification will be required for protected sick leave/kin care. This leave shall be specified as "PSL/Kin Care" on the employee's time sheet.

Any use of unearned sick leave will be treated as unpaid leave. An employee must notify his/her immediate supervisor if s/he will not have sufficient accrued sick leave to cover an absence, and his/her time sheet cannot show unearned sick leave as paid "Time Off" unless the General Manager or his/her designee has given advance written approval.

Up to three (3) days of sick leave may be used in addition to the amount allowed for bereavement leave.

Employees who have reached age 55 will be allowed to accumulate unused sick leave without limit. Employees under age 55 will be paid once per year in December for all accumulated sick leave exceeding 240 hours at one-half (1/2) their current rate of pay, which specifically does not include any temporary pay upgrade for Working Out of Class/Temporary Special Assignments. The amount will be included in their regular paycheck prior to December 31st unless they provide written notification to the Finance Department by November 15th that the cash out amount is to be paid 1) by separate paycheck, or 2) into a designated deferred compensation plan provided through the District if the employee has determined that s/he has not yet reached the IRS maximum contribution limit (it is the employee's responsibility to make this determination and then instruct the District as to the amount to be deferred).

Employees who have reached age 55 may cash out any amount of accumulated sick leave exceeding 240 hours at one-half (1/2) their current rate of pay once per year in December. Employees wishing to do so must provide written notification to the Finance Department by November 15th and payment will be made prior to December 31st. Employees must indicate if the cash out amount is to be paid 1) in their regular paycheck, 2) by separate paycheck, or 3) into a designated deferred compensation plan provided through the District if the employee has determined that s/he has not yet reached the IRS maximum contribution limit (it is the employee's responsibility to make this determination and then instruct the District as to the amount to be deferred).

Upon retirement, the District will pay an employee for all accrued unused sick leave at the employee's rate of pay at the time of payment. An employee may instead choose to exchange unused sick leave for additional CalPERS service year credit at time of retirement or have any or all of the payout amount paid into a designated deferred compensation plan provided through the District if the employee has determined that s/he has not yet reached the IRS maximum contribution limit (it is the employee's responsibility to make this determination and then instruct the District as to the amount to be deferred).

If an employee is absent due to injury or illness covered under Workers' Compensation or Short-Term Disability insurance benefits, the employee may elect during such absence to apply accrued sick leave, and other accrued paid leave after sick leave is exhausted, on a pro-rated basis to such absence and receive compensation in an amount equal to the difference between the employee's regular pay and the amount received as Workers' Compensation or Short-Term Disability benefits. This coordination of benefits is required if the leave is designated as PDL or FMLA/CFRA leave.

Paid leave will continue to accrue during any period of Workers' Compensation or disability leave if an employee elects to coordinate paid leave and Workers' Compensation or disability benefits. Sick leave will not accrue after the first ninety (90) days of Worker's Compensation leave, or if the employee is not coordinating paid leave and disability benefits. Other paid leave will not accrue if the employee is not coordinating paid leave and Workers' Compensation or disability benefits. If an

August 2021

employee is on Workers' Compensation leave, there will be no loss of time or pay, and accrued sick leave will not be charged, for the day the injury occurred.

E. **Compensatory Time Off**

Employees may elect to cash out compensatory time off (CTO) at any time by providing written notification to the Finance Department. At minimum, employees will be paid once per year in December for all accumulated CTO exceeding two hundred forty (240) hours at their current rate of pay, which specifically does not include any temporary pay upgrade for Working Out of Class/Temporary Special Assignments. All CTO cash outs will be paid by separate check within up to two (2) weeks of the receipt of the request or the annual payout date, or employees may direct cash outs to be paid into a designated deferred compensation plan provided through the District if the employee has determined that s/he has not yet reached the IRS maximum contribution limit (it is the employee's responsibility to make this determination and then instruct the District as to the amount to be deferred).

Commented [JH16]: See comment to Section III.L, page 7 – modify here if appropriate.

F. **Catastrophic Leave**

The District's Catastrophic Leave Program enables Regular/Management employees to donate accrued vacation, sick leave or compensatory time off to a fellow employee with a serious or catastrophic illness or non-industrial injury or who needs to provide necessary full-time care to a spouse, registered domestic partner, dependent child or parent. Please refer to the Catastrophic Leave Policy (PL – HR 008) for further information and program requirements.

Commented [JH17]: Let's briefly discuss the remaining types of leave outlined in sections VI.F through P. Most, but not all, of these leaves are legally mandated and those that aren't are pretty standard and don't have much budget impact or room for abuse. I tend to believe that these types of leave don't need board oversight or regulation, but we should establish that internally and perhaps with the committee.

G. **School Activity Leave**

An employee who is the parent or guardian of a child through grade 12 or with a licensed childcare provider may request up to forty (40) hours off per calendar year to participate in school activities, locate and/or enroll or re-enroll a child in child care or school, or address a childcare provider or school emergency. Advance notice and approval of scheduled activities is required to avoid work group calendar conflicts and coverage concerns. Employees will be required to use vacation or other paid time off (excluding sick leave) for this leave; however, if an employee does not have any accrued time off available, unpaid leave can be taken. Employees will be limited to no more than eight (8) hours of leave for this purpose in any one calendar month unless the leave is for a childcare or school emergency. The District reserves the right to require documentation of the activities, enrollment or emergency.

H. **Bone Marrow and Organ Donation Leave**

Effective January 1, 2011, State law requires employers to provide a paid leave of absence for organ or bone marrow donations. Leave not exceeding thirty (30) calendar days in any one-year period will be allowed for organ donations; employees will be required to use sick leave or vacation for the first two (2) weeks of this leave. Leave not exceeding five (5) days in any one-year period will be allowed for bone

| [August 2021](#)

marrow donations; employees will be required to use sick leave or vacation for this leave. Either type of leave will not run concurrently with FMLA/CFRA leave.

I. Bereavement Leave

The District provides up to three (3) days bereavement leave for Regular/Management employees in the event of death of a spouse, registered domestic partner, child, parent, sibling, grandparent or grandchild and step-relatives, or a spouse's or domestic partner's parent or sibling. An employee may also choose to use up to three (3) days of sick leave as additional bereavement leave to provide up to a total of six (6) days of leave.

J. Jury Duty and Witness Subpoenas

An employee must immediately notify his/her supervisor if s/he is summoned for jury duty or subpoenaed for witness testimony. Full pay for up to ten (10) days per calendar year will be granted for jury duty and full pay for up to four (4) of the ten (10) days will be granted for witness testimony on standard workdays. However, pay will not be granted when jury duty or witness testimony occurs on a standard day off or for hours in excess of the employee's standard eight (8) hour workday. The period for full pay may be extended by approval of the General Manager. For jury duty, the employee must provide a statement signed by an official of the Court certifying service as a juror and specifying the time involved. Since public employees are not eligible for jury duty pay through the court system, employees should sign a waiver when reporting to jury duty to avoid receiving and having to return jury duty pay. For witness testimony, the employee must provide a copy of the witness subpoena. Time permitting, an employee must return to work for any day s/he is released from serving as a juror or excused as a witness.

K. Military Leave

All Introductory/Regular/Management employees have the right to military leave or military spouse leave as provided by Federal and State law.

L. Pregnancy Disability Leave (PDL)

Upon request, employees who are disabled by pregnancy, childbirth or a related medical condition will be granted a pregnancy disability leave of absence (PDL) for up to four (4) months. The employee is required to utilize accrued sick leave benefits and other paid leave during this period. Any portion of PDL time that is taken after paid leave has been exhausted is without pay. The District will continue to maintain the employee's retirement contributions and group medical, dental, vision and life insurance benefits during PDL. Paid leave will not be earned or accrue during any period of unpaid leave.

PDL runs concurrently with Family Medical Leave Act (FMLA). An employee returning from PDL is guaranteed reinstatement to a position with the same or similar

| August 2021

duties and pay and at the same or similar geographic location upon the termination of the leave, with no loss of seniority or longevity.

M. Family Medical Leave Act (FMLA) and California Family Rights Act (CFRA) Leave

Regular/Management employees with at least twelve (12) months of continuous employment and a minimum of 1,250 hours during the twelve (12) months immediately preceding the leave (including any hours worked as a temporary employee during this period) are entitled to up to twelve (12) weeks of unpaid protected leave during each twelve (12) month period for family care responsibilities and for the employee's own serious medical condition under the Family and Medical Leave Act (FMLA) and California Family Rights Act (CFRA). The twelve (12) month period begins on January 1 and ends December 31, which coincides with the District's fiscal year. For purposes of family leave, the District workweek begins on Monday at 12:01 a.m. and ends Sunday at midnight. Under most circumstances, protected leave under federal and state law will run concurrently and the eligible employee will be entitled to a total of twelve (12) weeks of protected leave in each calendar year.

FMLA/CFRA leave may be taken for the birth of the employee's child; placement of a child with the employee in connection with an adoption or foster care; to care for the employee's child, spouse, registered domestic partner, grandparent, grandchildren, sibling, parent, foster parent or parent-in-law who has a serious health condition; or for the employee's serious health condition. FMLA/CFRA leave is also available to bond with a new baby or newly adopted child, but it must be taken in minimum durations of two (2) weeks with the exception of two (2) occasions which may be taken for less than two (2) weeks.

FMLA/CFRA leave may also be taken for up to twelve (12) weeks for any qualifying event arising from the employee's parent, spouse or child being on active duty in the Armed Forces. If an employee is the spouse, child, parent or "next of kin" (nearest blood relative) of a service member undergoing treatment due to injury or illness incurred in the line of duty, the employee can take up to twenty-six (26) weeks of unpaid FMLA/CFRA leave to care for the service member.

If the District grants a request for FMLA/CFRA leave, the employee is guaranteed reinstatement to a position with the same or similar duties and pay, and at the same or similar geographic location, upon the termination of the leave with no loss of seniority or longevity. When the need for leave is foreseeable, the employee should provide at least thirty (30) days' advance notice of the need for FMLA/CFRA leave and make a reasonable effort to schedule the leave to avoid disrupting District operations. The District may require certification from a health care provider to justify the request for FMLA/CFRA leave. As a condition of reinstatement if the leave was for the employee's serious health condition, the employee will be required to provide a medical verification from his/her health care provider confirming the employee is able to return to work with or without restrictions.

For FMLA/CFRA leave, the employee is required to use all of his/her accrued paid leave unless the employee is receiving Workers' Compensation benefits. If Workers' Compensation benefits are being received, the employee may choose to use paid leave to supplement those benefits. Any paid leave used will count toward the total FMLA/CFRA leave used. The District will continue to maintain an employee's retirement contributions and group medical, dental, vision and life insurance benefits during any period of approved FMLA/CFRA leave. Paid leave will not be earned or accrue during any period of unpaid leave.

FMLA/CFRA leave will be provided pursuant to applicable federal and state laws. If there is any conflict between District policy and federal or state law, the law(s) will govern. Please contact Human Resources for additional information.

N. Parental Leave

The purpose of Parental Leave is to facilitate parental bonding, allow for family adjustment, provide child care during the birth or adoption of a new child, and to assist female employees when disabled from pregnancy or childbirth. Regular/Management employees may schedule a paid Parental Leave of up to 160 hours upon being disabled due to pregnancy or childbirth, birth or placement of a child in the care of the employee for purposes of adoption.

- a. Female employees shall submit medical verification for disability related to pregnancy or childbirth. If the female employee is a surrogate, parental leave shall only be utilized if disabled from pregnancy or childbirth.
- b. For the birth of a child, a certificate of live birth will be required for documentation. In the case of adoption, the entitlement shall arise upon both: (1) verification of the intent to adopt established by provision of legal documentation; and (2) the placement of the child in the employee's home for the purposes of adoption.
- c. The leave must be taken within one year after the date of the birth of a child or placement of a minor child in the care of the employee. Any hours not used within the one-year period are forfeited.
- d. Parental Leave is separate and distinct from the use of Pregnancy Disability Leave (PDL), Family Medical Leave Act (FMLA)/California Family Rights Act (CFRA) but shall run concurrently if applicable.
- e. Parental leave shall be approved by the employee's manager in minimum durations of two weeks if the employee is covered under FMLA/CFRA. Manager's may approve leave in less than two week increments except where the granting of the parental leave request would unduly interfere with or cause hardship upon department operations.
- f. Employees must notify their manager to use parental leave at least (30) calendar days prior to the anticipated start of parental leave, except in cases of unanticipated early childbirth or adoption, in which case the employee shall notify with as much advance notice as possible.

O. Lactation Accommodation

The District provides a reasonable amount of break time to accommodate an employee desiring to express breast milk for the employee's infant child each time the employee has a need to express milk. The break time will, if possible, occur concurrently with any other usual break time already provided to the employee. For the time that may be needed beyond the usual break times, a non-exempt employee may use available personal leave, otherwise any time beyond the employee's regular break time will be unpaid.

The District will make a reasonable effort to provide the employee with the use of a private area in close proximity to the employee's work area for the employee to express milk in private. The room or location may be where the employee normally works (in substitution of the employer's private area) if it meets the requirements of the Labor Code including:

- A surface to place a breast pump and personal items.
- A place to sit.
- Access to electricity, or alternate devices, including, but not limited to, extension cords or charging stations needed to operate an electric or battery-powered breast pump.
- Access to a sink with running water and a refrigerator or another cooling device suitable for storing milk in close proximity to the employee's workspace.
- The lactation room or location must not be a bathroom.
- The location must be shielded from view and free of intrusion while the employee is expressing milk.
- The location must be safe, clean, and free of hazardous materials.

An employee may request an accommodation for lactation breaks by submitting a Lactation Accommodation Request Form to her supervisor. The supervisor must respond to the employee's accommodation request in writing by completing the supervisor section and providing the form to human resources for final review and approval.

The District reserves the right to deny, in writing, an employee's request for a lactation break if the additional break time will seriously disrupt operations. Employees have the right to file a complaint with the Labor Commissioner for any violation of rights provided under Chapter 3.8 of the California Labor Code regarding lactation accommodation.

P. Other Leaves of Absence

Other leaves of absence will be allowed if required by law. In addition, the General Manager, at his/her sole discretion, can approve unpaid discretionary, non-statutory leaves of absences for personal or medical reasons, for business reasons or necessity, or for other reasons that show a benefit to District ratepayers. An employee must submit as far in advance as possible a written request for unpaid leave stating the reason for the leave, the starting date and duration of the leave, and any other information that will assist the General Manager in determining whether to grant or

| August 2021

deny the leave request. Approval of an unpaid personal or medical leave does not guarantee return or reinstatement rights upon the employee's completion of unpaid leave. During the period of approved unpaid leave, the General Manager will determine if the District will continue to pay all benefits normally paid by the District. In addition, paid leave will not be earned or accrue for the duration of the approved unpaid leave. Prior to returning to work following a medical leave of absence, the employee will be required to provide a medical verification from his/her health care provider confirming the employee is able to return to work with or without restrictions.

P. Failure to Return from Leave

If an employee fails to return from a leave of absence or fails to present convincing reasons for not returning as arranged prior to the scheduled end of leave, the employee will be considered to have voluntarily resigned from his/her position with the District.

Section VII – Employee Relations - GM

A. Standards of Conduct and Corrective Process

If an employee engages in any unacceptable behavior that adversely affects or is otherwise detrimental to the interests of the District, other employees or the public, the employee may be subject to corrective action up to and including termination. Because it is impossible to provide an exhaustive list of behavior that is unacceptable, the following list is intended to provide some examples:

- Poor performance.
- Unavailability for work, i.e., sick leave abuse, excessive absenteeism, tardiness or unauthorized leave without pay.
- Using abusive or vulgar language, or causing disruption to the work place or to other employees, vendors, or the public.
- Misusing District funds; unauthorized misuse of District equipment or supplies.
- Conducting non-business activities during working hours.
- Falsifying forms, record or reports including, but not limited to, time sheets, employment applications, customer records or other District records.
- Possessing or bringing firearms, weapons, open containers of alcohol, illegal drugs or chemicals on or to the District's property or a vendor's or customer's property.
- Being under the influence of or impaired by alcohol or marijuana to any extent that impedes an employee's ability to perform his/her duties safely and effectively.
- Failing to follow, comply with or obey directions or instructions, either oral or in writing, from a supervisor or manager.
- Failing to observe and comply with safety or health rules, regulations, policies, practices and procedures, including the wearing of safety equipment as directed; engaging in conduct that creates a safety or health hazard.
- Failing to report involvement in an accident occurring on the District's premises or involving the District's equipment, or giving false information in accident or insurance reports.
- Failing to report to a supervisor or manager any significant omissions, errors or mistakes, or accidental damage, affecting a work assignment, District property or equipment.
- Failing to immediately report the loss of a California Driver's License.
- Threatening or intimidating other employees, vendors or customers, or any other behavior unbecoming a District employee.
- Engaging in conduct that is discriminatory, harassing and/or retaliatory.
- Any other violation of District rules, policies or procedures, or state or federal laws.

Because all District employees are "at will" employees, the employee or the District can terminate employment at any time with or without cause and with or without notice.

August 2021

The District may utilize a system of corrective action, at its sole discretion, in cases of misconduct and/or unacceptable or poor performance. The use of such a system does not waive either the District's or the employee's right to terminate employment at any time with or without cause. A copy of the District's current Employee Standards of Conduct and Discipline Policy (PL – HR 011) is provided to every Introductory employee and periodically discussed with all employees.

B. Employee Grievances or Concerns - GM

The District promotes an atmosphere in which employees can speak freely with management. Employees are encouraged to openly discuss with their supervisor and/or department manager work-related issues so that appropriate action may be taken. If the supervisor and/or department manager are not of assistance, the Human Resources Coordinator, Assistant General Manager and General Manager are available for consultation and guidance. Management employees should present their concerns to the Assistant General Manager or General Manager.

The District encourages employees who may be experiencing work performance problems, employee-supervisory concerns, peer disturbances or other concerns to bring them to the attention of their supervisor or department manager, or to the Human Resources Coordinator, Assistant General Manager or General Manager if their department manager is involved in the situation or does not respond to the employee's concerns within a reasonable length of time.

C. Prohibition of Discrimination – GM/Board (also legal mandates)

District policy prohibits unlawful discrimination based on race, religious creed, sex, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identification, gender expression, age, sexual orientation, or military or veteran status. Harassment in the workplace or in the course and scope of employment by any person in any form is prohibited. If substantiated, appropriate corrective and remedial action will be taken up to and including termination of employment. Prohibited unlawful discrimination includes, but is not limited to, the following:

- Verbal harassment such as epithets, jokes, derogatory comments or slurs;
- Physical harassment such as assault, impeding or blocking movement, or any physical interference with normal work or movement when directed at an individual based on one of the categories above; and
- Visual harassment such as derogatory posters, cartoons or drawings. Also included are e-mails that may be inappropriate, offensive, harassing and/or that create a hostile work environment.

Sexual harassment by any person in or from the work environment, regardless of whether the conduct is motivated by sexual desire, is strictly prohibited and is grounds for appropriate corrective and remedial action up to and including termination of employment.

Sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, or other verbal, visual or physical conduct of a sexual nature when:

- Submission to such conduct is made either expressly or by implication a term or condition of an individual's employment;
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting the individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance; creating an intimidating, hostile, threatening or offensive working environment; or adversely affecting the employee's performance, evaluation, assigned duties, or any other condition of employment or career development.

Sexual harassment also includes any act of retaliation against an employee for reports of violation of this policy or for participating in the investigation of a sexual harassment complaint. Other examples of sexual harassment include unwelcome sexual flirtations or propositions; verbal abuse of a sexual nature; graphic verbal comments about an individual's body; sexually degrading words used to describe an individual; e-mails that may be inappropriate, offensive, harassing, and/or create a hostile work environment; and the display in the work environment of sexually suggestive objects or pictures, posters, jokes, cartoons, or calendar illustrations.

Guidelines for Employees:

- Say NO! Make it clear to the offender that the behavior is unacceptable. The harasser may not realize the advances or behavior is offensive or unwelcome. Sometimes a simple confrontation will end the situation.
- Don't let confusion and self-doubt stop you from speaking out.
- Keep a record of dates, times, places, witnesses and nature of harassment. Such records will be very helpful if you find it necessary to pursue a formal grievance.
- If you feel that you have been or are being sexually harassed or are aware of or suspect the occurrence of sexual harassment, or you desire counseling or coping with sexual harassment, you should immediately contact any supervisor or department manager, Human Resources Coordinator, Assistant General Manager or General Manager. If the General Manager is involved in the reported conduct, the report should be made to the President of the Board of Directors.
- Maintain strict confidentiality to insure the privacy of all parties concerned.

Copies of the District's Discrimination & Harassment Prevention Policy (PL – HR 012) and Procedure (PR – HR 008) are provided to every new employee. The District will periodically remind all employees of their rights and duties regarding harassment and discrimination, at minimum on an annual basis. The District will also post the federal and state posters on the employee bulletin boards located at all office buildings.

August 2021

D. Workplace Violence – GM/Board

The safety and security of employees and customers are very important to the District and it is committed to providing a safe, violence-free workplace. Violations of the District's Workplace Violence Policy (PL – HR 013) will lead to disciplinary action that may include termination of employment, arrest and prosecution.

The District strictly prohibits anyone on District premises or engaging in a District-related activity off District premises from behaving in a violent or threatening manner including, but not limited to:

- Fighting, hitting, striking, pushing or other physical contact of any kind;
- Threats of any kind, including those made via telephone, fax, electronic or conventional mail or any other communication medium;
- Threatening, physically aggressive or violent behavior, such as intimidation or attempts to instill fear in others;
- Other behavior that suggests a propensity towards violence, including belligerent speech, excessive arguing or swearing, sabotage, or threats to sabotage District property, or a demonstrated pattern of refusal to follow District policies and procedures;
- Defacing District property or causing physical damage to the facilities; and
- Carrying, displaying, threatening to use or using weapons or firearms of any kind.

Any violent or threatening conduct, whether received or witnessed, must be reported immediately to the General Manager, Assistant General Manager or any other manager. A copy of the District's current Workplace Violence Policy (PL – HR 013) is provided to every new employee and periodically discussed with all employees.

E. Use of Electronic Surveillance - GM

The District uses various forms of electronic surveillance including, but not limited to closed-circuit cameras and GPS tracking devices. All electronic surveillance systems, including equipment, software and collected data, are the sole property of the District and may not be tampered or interfered with by any employee. Any employee who fails to comply with this directive shall be subject to disciplinary action up to and including termination.

The District's primary purpose for using such electronic surveillance is to protect and enhance the District's security, operating efficiency and emergency response capabilities. However, the District also may use data collected during its electronic surveillance activities for employee performance measurement and improvement purposes and, if merited, discipline for unacceptable behavior or misconduct captured by normal District electronic surveillance activities.

As part of their work duties, employees are expected to participate in video conferences for which voice and image recordings will be retained by the District and possibly viewed/replayed at a later date. Employees should understand they have no

| August 2021

right or expectation of privacy with respect to their participation in video conferences or any data, messages or information created or maintained on the District's electronic surveillance systems. Personal passwords, keys or access cards may be used for certain security purposes such as building and vehicle access, but the use of such access devices does not affect the District's ownership of, or ability to access, its electronic surveillance systems and data.

The District may use closed circuit cameras, GPS tracking devices and other non-sound recording devices to monitor any office, vehicle or vehicle use, hallway, workroom or other public space. The District will not use its electronic surveillance systems for any prohibited purpose, including unauthorized recording of an employee's private spoken communications or monitoring of any locker room, bathroom or changing area room, except as permitted by employee permission or by court order.

| **F. Cooperation with Investigations - GM**

During employment and following termination of employment, all employees agree to remain available to the District and its legal counsel, voluntarily upon the District's request and without the necessity of a subpoena or court order, in connection with the District's investigation, preparation, prosecution and/or defense of any actual or potential legal proceeding, regulatory action or internal matter. All employees must cooperate with the District to provide any information reasonably within his/her recollection and provide truthful testimony as required.

If an employee is called upon to provide cooperation after termination of employment, the District will 1) reimburse the former employee for reasonable out-of-pocket expenses actually incurred; 2) advance reasonable expenses to the former employee; or 3) incur the expenses directly on the former employee's behalf.

Section VIII – Safety

A. Accident Prevention and Reporting - GM

The District cares about the health and safety of all employees. Employees are expected to share this concern by practicing safe working habits for their own benefit as well as that of their fellow employees. By law, employees must be provided with places of employment that are free from recognized safety hazards and the proper tools and equipment necessary to accomplish their work assignment in as safe a manner as possible. The District will conduct on-the-job safety and first aid programs for all employees. Employees are expected to notify their supervisor immediately if they have a question that concerns safety.

Employees must report all job-related injuries and illnesses, regardless of their severity, to their supervisor immediately so that prompt and trained evaluation and medical attention can be provided as needed. Employees must also report “close calls” for review and training purposes. An employee’s failure to report may result in disciplinary action up to and including termination.

B. Injury and Illness Prevention Plan (IIPP) - GM

The District has adopted an Injury and Illness Prevention Plan (IIPP) designed to protect the health and safety of all employees. A complete copy of the Injury and Illness Prevention Plan is provided to each new employee and updated copies are provided to all employees. All employees are required to know and comply with the District’s IIPP and related safety rules and to follow safe and healthy work practices at all times. An employee may be subject to discipline, up to and including termination, for engaging in any unsafe or unhealthy work practices.

C. Driving on the Job - GM

All Introductory/Regular/Management employees are enrolled in the Department of Motor Vehicles (DMV) Employer Pull Notice Program and required to provide Proof of Insurance for personal vehicles used for District business. Please refer to the District’s Driver Record and Insurance Review Policy (PL – HR 006) and Procedure (PR – HR 003) for further information and program requirements.

D. Cell Phone and Wireless Device Safety - GM

The use of hand-held cellular phones and other such wireless devices, including laptop and hand-held computers, while driving is prohibited by the District. Under no circumstances may a driver initiate or answer a cellular phone call while driving on District business unless a cell phone is required to be kept on at all times. If a cell phone is required to be kept on at all times, the driver must use a hands-free device or safely pull off the road. Under no circumstances may a driver use a wireless device to write, send or read text-based communications, which includes text messaging, instant messaging and e-mail, while driving on District business. Voicemail and text

August 2021

messages on phones and wireless devices provided by the District are not protected by individual privacy laws; management staff can access messages at any time without notice to the employee. Employees who use District-owned phones or wireless devices waive any and all expectation of privacy.

Please refer to the District's Electronic Facility Safety Procedure (PR – IT 001) for further information.

E. Proper Use and Safeguarding of District Property and Resources - GM

Except as specifically authorized, employees cannot use, or permit the use of, District-owned vehicles, equipment, telephones, materials, or property for personal convenience or profit. Employees cannot ask or require another District employee to perform services for the personal convenience or profit of the employee. Employees must protect and properly use any District property within their control, including information recorded on paper or in electronic form. Employees must safeguard District property, equipment, monies and assets against unauthorized use or removal, as well as from loss due to criminal act or breach of trust. Employees are responsible for maintaining written records, including expense accounts, in sufficient detail to reflect accurately and completely all transactions and expenditures made on the District's behalf, in accordance with the District's policy for reimbursement of employee expenses.

No District equipment will be used by any person other than those conducting District business. Employees may not engage in personal work in District shops or at other District facilities or use District equipment on or off District property for non-District business. Personal telephone calls and visitors during work hours are discouraged and employees should refrain from having personal mail addressed to the District office. No collect calls will be accepted. Any employee who fails to comply with these directives shall be subject to disciplinary action up to and including dismissal.

Section IX – Around The Office

A. Dress Guidelines - GM

All employees should exercise sound business judgment with regard to personal appearance, dress and grooming to enable them to be most effective in the performance of their duties. Employees are expected at all times to present a professional, businesslike image to District customers and the public. Acceptable personal appearance is an ongoing requirement of employment with the District. Supervisors and department managers are responsible to enforce dress and appearance guidelines. Employees should consult their immediate supervisor if they have any questions as to what constitutes appropriate work attire or appearance.

Office Employees: Clothing and appearance should be neat, clean, in good business taste, and not constitute a safety hazard. Collared polo style shirts or dress shirts with the District's logo are appropriate work attire. Inappropriate clothing items include, but are not limited to, athletic wear (e.g. sweat suits, sweatshirts), shorts, overalls, t-shirts (with or without writing), tank tops, suggestive attire, athletic shoes and other items of casual style that do not present a businesslike appearance. Exceptions may be made for health reasons (e.g. wearing athletic shoes for a short period of time due to recovering from knee surgery). Radical departures from conventional dress, appearance, or personal grooming and hygiene standards are not permitted. Hair should be clean, combed and neatly trimmed or arranged. At its discretion, the District may allow employees to dress in a more casual fashion than is normally required for special events (e.g. Halloween or Hawaiian shirt day). On these occasions, employees are still expected to present a neat appearance.

Field Employees: Depending on the nature of their job duties, certain employees may be required to meet special dress standards, such as wearing uniforms or protective footwear. Employees in this group should follow the basic requirements of safety and comfort but still be as neat and businesslike as working conditions permit. Care should be taken to insure uniforms are not ripped, faded, discolored, stained, etc. Field employees should discuss uniform replacement or any questions regarding uniform standards with their immediate supervisor. The District will provide uniforms for each field employee to wear while on duty. District jackets or shirts will be worn as an outside garment except when authorized wet weather gear is worn. The display of District uniforms and emblems is to permit identification of employees by the public and to present an appropriate and consistent appearance. When the job requires protective footwear, the District, at its discretion, will provide Regular/Management employees with either the appropriate shoe/boot or an allowance to cover the added cost to the employee as provided in the District's Protective Footwear Program Procedure (PR – O&M 002). Good personal hygiene is required for professional appearance. This includes clean, well-groomed hair and facial hair. Employees in positions that may be required to don an air mask and/or breathing apparatus must have facial hair shaven at the jaw line to affect a proper seal with personal safety equipment.

August 2021

Personal Appearance: While the District recognizes that personal appearance is an important element of self-expression, employees must also recognize that self-expression is secondary to the mission of providing service to District customers and the public. Exposed tattoos, body piercing and jewelry may conflict with an employee's ability to perform effectively in the position they hold or the specific environment in which they work. Factors used to determine whether exposed tattoos, body piercing or jewelry pose a conflict with the job or work environment include, but are not limited to:

- Safety of self or others
- Productivity or performance of tasks
- Perceived offense on the basis of race, sex, religion, etc.
- Complaints from coworkers, customers or the public

If a potential conflict is identified, the employee will be encouraged to identify appropriate solutions such as removal of excess jewelry, covering of tattoos, etc. In cases where the conflict impacts the employee's ability to perform his/her job, other remedies may be necessary. Supervisors and managers will be responsible for answering questions and resolving issues related to these guidelines on a case-by-case basis to insure unique circumstances are appropriately considered. The primary consideration in all cases will be the District's ability to serve its customers and the public.

The General Manager, or his/her designee, will have sole discretion and authority to resolve all issues related to employee personal appearance, dress and grooming.

B. E-Mail, Internet and Computer Use – GM

The District uses various forms of electronic communication and equipment including, but not limited to, computers, modems, telephones, voice mail, fax machines, Internet and e-mail. All electronic communications, including all software and hardware, are and will remain the sole property of the District. All messages sent and received, including any personal messages, and all data and information stored on the District's computer systems are the District's property regardless of content. Electronic communications will not be used in any manner that would:

- Be discriminatory, lewd, derogatory, defamatory, disparaging, sexually explicit, harassing, threatening, or obscene;
- Constitute copyright, trademark infringement or misappropriation of trade secrets; or
- Be for any other purpose which is illegal, against District policy, or not in the best interests of the District.

You are not allowed to install personal software in District computer systems. All software on any District computer system must be licensed to the District. All electronic information you create using any means of electronic communication is the property of the District and will remain the property of the District. Any updates to existing software must be approved by the Information Technology Manager prior to installing the update. You should understand that you have no right or expectation of privacy with respect to any messages or information created or maintained on the District's computer systems, including personal information or messages. Personal

| August 2021

passwords may be used for purposes of security, but the use of a personal password does not affect the District's ownership of, or ability to access, the electronic information. Employees must not place stickers on laptop computers.

The District reserves the right to enter, access, search, monitor, review, copy and/or retrieve electronic files, messages, e-mail, voice mail, history of Internet usage and any other type of electronic file or information, without notice, for any legitimate business purpose including, but not limited to, insuring there is no misuse or violation of District policy or any law, investigating theft, and monitoring disclosure of District information. The District may override personal passwords if it becomes necessary or appropriate to do so for any reason.

Non-exempt employees shall not access their work e-mail accounts after regular or alternate work hours without prior approval from their immediate supervisor. All e-mails to non-exempt employees shall be sent during regular or alternate working hours, as known, except in the event of an emergency call-out or other critical situation.

All electronic communications, including e-mail, access to the Internet, and other types of District-paid communication access, are to be used only for District-related business and not for any personal use. If you misuse the District's electronic communications, you will be subject to discipline up to and including termination. Please refer to the District's Electronic Mail, Internet and Computer Use Policy (PL – IT 005) for further information. You are also required to manage and protect records resulting from your e-mail communications under the District's Electronic Mail Management and Retention Policy (PL – IT 003) and Procedure (PR – IT 002), which set forth the responsibilities of all District employees concerning the creation, removal, storage and retention of e-mails that are designated as official District records.

| **C. Social Networking - GM**

The District views social networks, such as web-based discussion or conversation pages, and other forms of social networking, such as Facebook, Twitter, etc., as significant forms of public communication. As such, all employees who engage in social networking are held to the same standards the District has set for any public communications. All employees have an obligation to the District to insure that any public communication they make, including social networking communications, must not negatively impact the reputation of the District or bring disrepute in any way to the District, its partners, customers, suppliers, etc. Any violation of this obligation may result in discipline up to and including termination depending on the severity of the situation and its impact on the District.

Additionally, engaging in social networking during work hours can negatively impact employee productivity and work performance. For that reason, social networking during work hours is not permitted. Employees who may need to utilize social networking for District-related business must obtain prior approval from the General Manager.

August 2021

D. Smoking and Tobacco Use Prohibited - GM

In accordance with state law, all District facilities are considered non-smoking areas. The District strictly prohibits smoking and the use of any tobacco product, e-tobacco or e-cigarettes in enclosed spaces, District vehicles, all District buildings and within 20 feet of building entryways or windows, and on customer private property.

E. Alcohol and Drug-Free Workplace – GM/Board

The District has adopted a Drug and Alcohol Program Policy (PL – HR 010) designed to protect the health and safety of all employees. A copy of the District’s Drug and Alcohol Program Manual is provided to each employee at time of hire. All employees are required to know and comply with the Drug & Alcohol Program Manual and follow safe and healthy work practices at all times. Employees may be subject to discipline, up to and including termination, for failure to comply with the District’s Policy and Program Manual requirements.

F. Return to Work Program - GM

The District’s Return to Work Policy (PL – HR 007) is intended to return eligible employees to the District work force at the earliest medically allowable date and in accordance with their medical treatment plan. While the District works hard to prevent occupational injury and illness, in the event of an occurrence, the District will strive to mitigate the impact of the injury or illness on both the employee and the District. The Return to Work Policy and Program Manual assists the District in its mitigation efforts by providing transitional work to employees who have experienced on- or off-the-job injuries, illnesses or other conditions provided the transitional work meets the employee’s medical restrictions, does not increase the employee’s recuperation time, and is available. Provisions of this program for on-the-job illnesses or injuries are in coordination with Workers’ Compensation benefits provided by the District.

G. Break Rooms - GM

The District provides kitchens at all three of its facilities for employees to use during breaks and meals. Employees are expected to keep kitchens clean for everyone’s use.

H. Supplies - GM

The District intends to provide employees with the equipment and supplies necessary to perform the duties of their position. Basic supplies are kept in the supply rooms at all facilities. Any special orders must be reviewed and approved by the department manager before being submitting to the Purchasing Specialist for ordering.

Section X – Leaving District Employment

A. Resignation - GM

An employee will be considered to have voluntarily resigned from employment with the District when the employee has:

- Submitted a letter of resignation to his/her Department Manager or Human Resources; or
- Submitted a letter confirming his/her intent to retire to his/her Department Manager or Human Resources; a letter of intent to retire is irrevocable upon receipt and any request to withdraw or retract it may be considered at the sole discretion of the General Manager.
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B. Termination - GM

Because all employees are “at will,” the employee or the General Manager may terminate employment with the District at any time with or without cause and with or without prior notice. No supervisor or department manager, or any other District representative, has the authority to enter into any agreement for employment for any specified period of time, or to make any agreement contrary to “at will” employment, with the exception of the General Manager.

If an employee fails to return from an approved absence, or if an employee fails to report to work without notice to the District for three (3) consecutive work days, the District may conclude the employee has abandoned his/her job and his/her employment may be terminated.

C. Property Return Agreement - GM

Upon becoming employed with the District, employees receive and sign a Property Issue/Return Agreement for all District property issued to them. All District property must be returned prior to an employee leaving employment for any reason. The Human Resources Coordinator and/or Facilities & Fleet Specialist will arrange for the return of all District property on or before the last day of employment.

D. Employee Exit - GM

In the event of a resignation or termination from employment with the District, the employee will cooperate fully in all matters relating to the winding up of any pending work and the orderly transfer of such work to other employees. The employee will return originals and hard copies of any and all documents which relate in any way to District business. Human Resources will attempt to schedule an exit interview on the last day of employment.

E. Final Paycheck - GM

| August 2021

In the event an employee resigns or is terminated from employment with the District, the employee will receive his/her final paycheck by the next regularly scheduled payday or earlier if required by law. Unused vacation will be paid in the final paycheck; unused sick leave benefits will be forfeited.

| **F. Benefits and COBRA - GM**

In the event an employee resigns or is terminated from employment with the District, the employee's medical insurance coverage will continue up through and including the month following the last day of employment as required by CalPERS; dental, vision, life and disability coverage will end on the last day of the month of employment since "active" employment is required. Written notification of the employee's rights to continuation (COBRA) insurance coverage will be sent to the employee's last known home address.

| **G. CalPERS Retirement and Deferred Compensation - GM**

Employees must obtain information regarding their retirement options directly from CalPERS. Employees enrolled in a deferred compensation program must obtain forms from the program's website or contact them directly by phone to discuss deferral and withdrawal options after retirement.