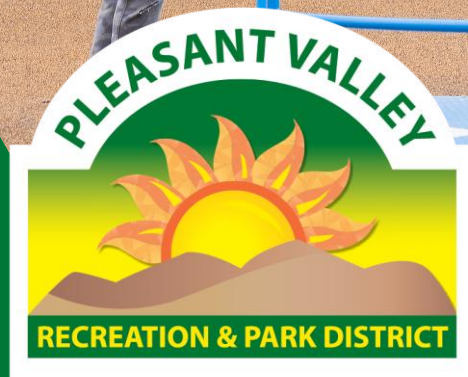

PLEASANT VALLEY RECREATION & PARK DISTRICT

PERSONNEL POLICY MANUAL

parks make life better





PERSONNEL POLICY MANUAL

Board Approved:

Administrative Office

(Community Center/Senior Center)
1605 E. Burnley St., Camarillo 93010

Parks Department Office

(Located at Freedom Park)
480 Skyway Dr., Camarillo 93010
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ARTICLE 1 – GENERAL INFORMATION

A. Purpose and Intent

The purpose of this Personnel Policy Manual (Policy Manual) is to establish a system of uniform and appropriate personnel policies and procedures that will provide the Pleasant Valley Recreation and Park District (District) with a productive, efficient, stable and representative workforce by incorporating the following principles:

- Recruiting, selecting and advancing employees on the basis of their relative ability, education, training, knowledge, and skills relevant to the work to be performed and providing employment programs which encourage and support employee development.
- Establishing and maintaining a uniform plan of classification and pay based upon the relative duties and responsibilities of positions.
- Assuring fair treatment of applicants and employees in all aspects of employment without unlawful discrimination based on any protected characteristic (e.g., race, color, sex, age, religion, national origin, marital status, sexual orientation, disability, etc.).
- Establishing ethical standards of conduct.

B. Scope; Validity

Except as stated herein, this Policy Manual governs the employment of **all** employees of the District the following:

- Board of Directors of the District
- General Counsel
- Volunteer personnel who provide services to the District without receiving compensation (although such persons may receive reimbursement for actual expenses incurred in the service of the District); and
- Outside and independent contractors, engaged to provide expert, professional, technical or other services.

If any provision of this Policy Manual conflicts or is inconsistent with any applicable bargaining agreement or MOU, the provisions of said

bargaining agreement or MOU shall apply over this Policy Manual for represented employees. To the extent any policy conflicts with local, state, or federal law, the law applies.

C. Administration; Right to Revise

This Policy Manual provides employment policies and practices of the District in effect at the time of publication. All previously issued manuals or handbooks, and any inconsistent policy statements or memoranda distributed prior to this Policy Manual, are superseded.

The General Manager is authorized to issue written administrative orders to establish procedures and practices for administration of the District personnel system and to interpret or clarify any provisions of the Policy Manual, subject to any meet and confer requirements under the Meyers Milias Brown Act (MMBA) for represented employees.

The District reserves the right to revise, modify, delete, or add to any and all policies, procedures, or work rules stated in this Policy Manual. However, to be effective, any such changes must be in writing and must be signed by the General Manager and approved by the Board of Directors of the District. Additionally, prior to the implementation of any such changes affecting represented employees, the District shall complete all meet and confer requirements under the MMBA, as applicable.

Any changes to this Policy Manual will be distributed in writing to all employees so that employees will be aware of the new policies or procedures. No oral statements, representations, or conduct can in any way alter the provisions of this Policy Manual.

D. At-Will Employment Of Certain Employees

District personnel who are employed on an at-will basis may be terminated for any reason or no reason, with or without cause and with or without advance notice, at any time by the District. Nothing in this Manual shall limit the right to terminate the at-will employment of such employees. Except as otherwise provided by a written employment agreement, a bargaining agreement or MOU, or other applicable local, state, or federal law or order, nothing in this Policy Manual creates a property right in, or an expectation of, continued employment at the District.

E. Equal Employment Opportunity

The District is an equal opportunity employer and makes employment decisions on the basis of merit, and without regard to race, color, creed, sex or gender, reproductive health decision-making, gender expression or identity, religion, marital status, registered domestic

partner status, age, national origin or ancestry, ethnicity, citizenship, pregnancy, childbirth or related medical conditions, physical or mental disability, medical condition, including genetic characteristics, genetic information, sexual orientation, [Already stated above.], military or veteran status, or any other consideration made unlawful by Federal, State, or local laws (collectively the “Protected Characteristics”).

The District is committed to compliance with all applicable laws providing equal employment opportunities to all employees and applicants. This policy extends to all phases of employment, including but not limited to: recruitment, hiring, training, promotion, discharge or layoff, compensation and benefits, etc.

ARTICLE 2 – EMPLOYMENT INFORMATION

A. Employment Categories

It is the intent of the District to clarify the definitions of employment and employment classifications in order to understand employment status and benefit eligibility.

1. Full Time Employees

Regular full-time employees are those who have successfully completed their probationary period or introductory period, and are regularly scheduled to work, and do work, 80 or more hours in a two-week period Full-time employees are generally eligible for District benefits.

2. Part-Time Year-Round Employees (1,000+ hours/year)

Part-time year-round employees who are scheduled to work over 1,000 hours per fiscal year (July 1 – June 30) may be eligible for pro-rated benefits as approved by the District. It is the intent of the District that part-time year-round employees are normally scheduled to work a total of 1,560 hours per fiscal year, or an average of 30 hours per week, and to not exceed 1,700 hours without the General Manager’s approval.

3. Part-Time Employees

Part-time employees are those who are scheduled to work average of 19 hours per week and do not exceed 960 hours per fiscal year, unless an additional 20 hours, for a total of 980 hours, has been approved in advance by the General Manager. Part-time employees are not eligible for District benefits except as required by law.

Seasonal or temporary employees may be scheduled to work any number of hours per week with no regular schedule but may not work more than 960 hours per year fiscal year. Seasonal employees are typically hired for a particular seasonal need, and for no longer than a four (4) month period. They are not eligible for any District benefits except as required by law.

Employees who work 20 hours per week cannot do so for longer than a four (4) month period within a fiscal year.

4. Exempt Employees

An exempt employee, who is classified as such based on duties and responsibilities, is not eligible for, and does not receive, overtime pay. Exempt employees are paid a salary that is intended to compensate them for all time worked. Exempt employees are required to submit a timecard accounting for any time off during regular business hours.

5. Non- Exempt Employees

A non-exempt employee is one who is paid on the basis of hours worked and who receives overtime compensation for any overtime worked. Non-exempt employees are required to record all of their hours worked on a time clock and/or timecard. All employees, unless notified otherwise by management, are nonexempt.

6. Represented Employees

A represented employee is represented by a union and is covered under a bargaining agreement or MOU.

7. Non-represented Employees

A non-represented employee is not represented by a union and is not covered under a bargaining agreement or MOU.

8. At-Will Employees

Except as may otherwise be stated in an employment agreement, bargaining agreement, or MOU, all employees of the District are employed on an at-will basis, which means that either the employee or the District may terminate the employment relationship with or without cause, for any reason or no reason, and with or without advance notice, at any time.

B. Probationary Periods – New Hires & Promotional Appointments

1. Non-At-Will Employees – Probationary Period

The purpose of the probationary period is to train, observe and evaluate a non-at-will employee. The probationary period for non-at-will employees is one (1) year for new employees, and six (6) months for promotional employees. During this time, the non-at-will employee will learn their responsibilities and get acquainted with fellow co-workers, and the District will determine whether or not it is satisfied with the probationary employee's performance. Their direct Supervisor will closely monitor their performance.

The Supervisor will conduct a performance review prior to the conclusion of the probationary period.

During the new-hire probationary period, before the employee attains regular status, the non-at-will employee may be terminated with or without cause. Any such action may be taken without advance notice and shall be without the right of appeal.

If a promotional employee is rejected during the probationary period from a position to which the employee has been promoted, the employee shall be reinstated to a position in the class from which the employee was promoted, if available, unless discharged for cause. If no such vacancy exists, the employee shall be placed on a re-employment list as provided in this Policy Manual.

Upon satisfactory completion of the probationary period, the non-at-will employee shall be considered as having satisfactorily demonstrated qualifications for the position and shall be so informed in writing by the supervisor. Non-at-will employees within their probationary period do not receive District benefits unless stated in this Policy Manual or as required by law. During the probationary period, full-time and part-time year-round non-at-will employees are eligible for health insurance and paid holidays upon hire date and shall accrue vacation and sick time. Probationary employees may utilize their accrued paid time off including vacation, sick, jury duty, bereavement, or any other special days after completing their initial 90 days of employment.

2. At-Will Employees – Introductory Period

At-will employees are not subject to a probationary period. At-will employees are, instead, subject to a 90-day introductory period upon hiring. During the introductory period, at-will employees are not eligible to receive District benefits unless stated in this Policy Manual or as required by law; however, they are eligible for health insurance and paid holidays upon hire date and shall accrue vacation and paid sick time. Thereafter, upon the conclusion of the 90-day introductory period, they may request to use their accrued paid time off.

C. Re-Hires

Former employees may be considered for rehire provided they left employment with the District in good standing and meet all qualifications of the current open position they are seeking. If they are rehired more than 90 days after leaving District employment, they will not retain credit for length of service for the purpose of calculating vacation and paid sick time accrual and anniversary awards. Any accrued paid sick time must be reinstated to employees who are rehired within a year of their separation unless they have been paid out per the policy.]

If the length of time since the end of employment is greater than 30 days, the persons under consideration for rehire will be required to complete a new drug, tuberculosis and alcohol screen, physical, references and fingerprint clearance.

Employees who are on any type of leave of absence, work-related or non-work-related will be placed on an unpaid inactive status. After completing the work assignment for the season for which they were hired, management will discuss the placement of the employee on inactive status or terminate employment. During the time the employee is on unpaid inactive status, benefits such as vacation and paid sick time will not accrue, and seniority will not continue to accrue. Health insurance may continue under certain circumstances as detailed in the Leaves of Absence policies.

Employees who return from inactive status after 120 days will be required to go through the drug screening process. Part-time employees who have not worked in nine (9) months will be removed from active status and formally terminated.

D. Work Schedules; Workweek

The District Administration office is normally open for business between the hours of 8 a.m. and 5 p.m., Monday through Friday. Parks and facilities are available for rental as otherwise posted or in accordance with District's General Use Policy except with the permission of the General Manager or designee. Immediate Supervisors will assign individual work schedules. All employees are expected to be at their desks or work locations at the start of their scheduled shifts.

Exempt employees are generally expected to be on-site for work during the normal business hours of 8 a.m. to 5 p.m. A department head may adjust an exempt employee's expected on-site hours based on operational needs or individual job responsibilities. Exempt employees are required to take the time needed to perform all their job duties. It is expected that the employee request all time off. If exempt employees must be absent for more than two hours of their workday they must record their time not worked, e.g. management leave, vacation time, or paid sick time.

The standard workday for non-exempt employees is eight (8) hours, exclusive of a duty-free unpaid lunch period as outlined in Article 4.I Meal and Rest Periods, and the standard work week is forty (40) hours, normally to be worked within five (5) consecutive days. A standard workday begins at 12:01 a.m. and ends at midnight 24 hours later. The workweek begins Saturday at 12:00 a.m. and ends Friday at 11:59 p.m.

E. Alternative Work Schedule - 9/80

The District offers employees in certain work units the opportunity to work an alternative workweek schedule (AWS) based upon the business needs of the District. Employees who are offered the opportunity to work, and who do work, an alternative work schedule are subject to the standards and requirements outlined below.

The 9/80 work schedule is a work schedule where an employee works 9 working days for a total of 80 hours over 2 work weeks, or 10 workdays, with 8 working days at 9 hours, 1 working day at 8 hours, and 1 scheduled day off. The 9/80 work

schedule has the following requirements:

1. The schedule cannot impact the District's requirement to conduct business or adversely affect workflow.
2. Employees assigned to the 9/80 work schedule must adhere to it. Employees may revoke in writing their agreement work the AWS, but they may not alternate back and forth between the schedules.
3. The Department Manager and the General Manager's approval is needed prior to the start of working a 9/80 work schedule. The 9/80 work weekday off is designated by the Department Manager, with the approval of the General Manager. Once the day off is established, it will be considered the regular day off, and employees may not switch the day and/or shifts without advance approval.
4. If a mandatory meeting is scheduled on a regular 9/80 work weekday off, employees will be required to attend the meeting unless excused by a Supervisor, Manager or the General Manager. Non-exempt employees will be paid for this working time, including overtime pay if applicable.
5. For all employees working a 9/80 work schedule their workweek shall begin exactly four hours into their eight hour shift on the day of the week which constitutes their alternating regular day off.
6. Nothing in this section shall limit management's authority to revise assignments and schedules for operational or emergency situations.

F. Nepotism (Employment of Relatives)

The purpose of this Nepotism policy is to ensure that the hiring and supervision of employees is conducted in a manner that enhances the public's confidence in the District and prevents situations that may have an adverse impact on supervision, safety, security, or moral, or that may give the impression of preferential treatment, improper influence, or conflict of interest.

1. Definitions

The following definitions apply to this policy

"Fraternization" means a romantic and/or sexual relationship between a Supervisor and subordinate employee within the direct chain of command or same Department.

"Nepotism" means as the practice of an employee using personal influence or power, because of a familial or personal relationship, to aid or hinder another person in securing employment, promotion or other benefit.

“Relative” for this policy means immediate family member including spouse, domestic partner, child, stepchild, parent, grandparent, grandchild, brother, sister, half-brother, half-sister, aunt, uncle, niece, nephew, or in-laws.

“Spouse” means two persons who have a valid marriage or two people who are registered domestic partners, as that term defined by California law, Family Code Section 297, et seq.

“Supervisory relationship” means one in which one employee is authorized to exercise the right to control, direct, reward, or discipline another employee.

2. Prohibition Against Nepotism and Fraternization

It is the intent of the District not to discriminate in its employment or personnel actions with respect to employees and applicants on the basis of marital, domestic partner, or familial status, as defined in this policy. Relatives will be considered for employment, promotion, or transfer, provided the Relative:

- Has made an application in accordance with established procedure;
- Has been considered in accordance with established procedure;
- Possesses the necessary job qualifications; and
- Is considered to be the most suitable candidate.

When a Relative or a person with whom an employee is engaged in a romantic and/or sexual relationship is being considered for employment, promotion, or transfer, the employee of the Relative shall have no involvement in the recruitment, employment, promotion, or transfer of the person, either directly or indirectly, nor shall that employee take any action that would directly or indirectly impact the employment of the Relative or individual with whom there exists a romantic and/or sexual relationship.

An appointing authority shall not appoint, promote, or transfer a person to a position within the same Department in which the person’s Relative or individual with whom there exists a romantic and/or sexual relationship already holds a position, when such employment will result in any of the following:

- A direct or indirect supervisory relationship.
- The two employees handling financial transactions together.
- The two employees having regular job duties involving shared responsibilities or the same or related work assignment;
- The two employees having the same immediate Supervisor;

- An actual or perceived conflict of interest or having an adverse impact on supervision, safety, security, morale, or efficiency of the workplace that cannot be adequately mitigated.

3. Enforcement of Policy

If two employees who work in the same Department become relatives or romantically and/or sexually involved, and one of the above conditions applies, the Administrative Services Department has discretion to transfer one of the employees to a similar vacant position with comparable pay and duties in another Department, if one is available. The employee must meet the qualifications of the vacant position. Although the wishes of the employees in question will be given consideration, the Department retains sole discretion to determine which employee is to be transferred based upon District needs, operations, or efficiency.

If continuing employment of both employees cannot be accommodated in a manner consistent with the District's interests, then the District retains sole discretion to separate one employee from District employment. Absent the resignation of one employee, the less senior employee will generally be separated.

4. Procedure: Applicants

In order to implement this policy, the District's employment application and promotion process will ask candidates to disclose their relationship status to a District employee. Such information shall not be used as a basis for employment decisions other than as stated in this policy.

5. Current Employees

[; All current relationships should be subject to this policy.] All current employees must disclose to the Department Head and to Human Resources whether they have a Relative or person with whom they are romantically involved within their Department or in their direct chain of command.

.]

ARTICLE 3 - MANAGEMENT

A. Names and Addresses; Emergency Contacts

The District is required by law to keep current all employees' names and addresses. Employees are responsible for notifying the District in the event of a name or address change. Employees are encouraged to provide the District with at least two current emergency contacts.

B. Performance Evaluations

Each employee will receive periodic performance reviews conducted by their Supervisor. The initial performance evaluation normally takes place approximately after the first 90 days of employment. Subsequent performance evaluations will be conducted approximately annually (during the anniversary month of the employee's employment with the District, or anniversary of last promotion). The frequency of performance evaluations may vary depending upon length of service, job position, past performance, changes in job duties, or recurring performance problems.

Performance evaluations may review factors such as the quality and quantity of the work performed, knowledge of the job, initiative, work attitude, and attitude toward others. The performance evaluations are intended to make employees aware of the evaluation of their recent performance, areas for improvement, and objectives or goals for future work performance.

Wage increases are not granted automatically in connection with a performance evaluation. Salary increases and promotions are solely within the discretion of the District and depend upon many factors in addition to performance. After the review, the employee will be required to sign the evaluation report simply to acknowledge that it has been presented, discussed with their Supervisor, and that they are aware of its contents.

Merit increases for employees may be granted for outstanding performance, efficiency, and continued improvement in effectively fulfilling their job duties.

1. Such salary increases for full-time employees require the specific recommendation of the employee's immediate supervisor, Department Head, and approval of the General Manager.
2. Part-time employees may be eligible for a pay increase based on satisfactory performance, as documented in a performance review. Any pay increase requires a specific recommendation from the employee's supervisor and approval from the manager and/or Department Head on a Notice of Pay form.

C. Smoking

There is no smoking of any kind on District property, including any tobacco-related products, marijuana products, all forms of electronic smoking devices, and any vaping products.

D. Parking

Employees may be permitted to park their personal vehicles on District property during the employee's work shift. In some areas, due to customer use and clientele, employees are required to park off-site or in the clearly signed and designated employee parking areas. The District is not responsible for any loss or damage to employee vehicles or contents while parked on District property.

E. Employer Property

District-owned lockers, desks, file cabinets, computers, cell phones, office equipment, and vehicles are District property and must be maintained according to District rules and regulations. District property must be kept clean and used only for work-related purposes. The District reserves the right to inspect all District property, and any other property brought onto District premises (including parking lots), to ensure compliance with its rules and regulations, without notice to the employee, and at any time, not necessarily in the employee's presence.

No personal locks may be used on District-provided lockers unless the employee furnishes a copy of the key or the combination to the lock to Human Resources. Unauthorized use of a personal lock by an employee may result in losing the right to use a District locker.

The District may periodically need to assign and/or change "passwords" and personal codes for voice mail, e-mail, computer, alarms, and other equipment. These communication technologies and related storage media and databases are to be used only for District business, and they remain the property of the District. The District reserves the right to monitor its systems, and to keep a record of all passwords and codes used and/or to override any such password system. Employees do not have a right of privacy in District telecommunication and computer systems, including, but not limited to, voicemail, e-mails, computer data, passwords and other District properties.

Terminated employees are responsible for returning all-District property in good condition. This includes, but is not limited to, keys, identification badges, uniforms, equipment, and any other District-issued materials.

F. Employee Property

An employee's personal property brought onto District premises, including but not limited to packages, purses, backpacks and vehicles, may be inspected by the District. Employees who do not wish to subject their property to search should not bring it onto District premises.

G. Employee References

All requests for references must be directed to Human Resources. No other employee is authorized to provide any type of reference on behalf of the District for current or former employees.

H. Personnel Files

The Administrative Services Department shall maintain a personnel file on each employee including the employee's name, original application for employment, and for any promotions or alternate positions, title of position(s), the department assigned, salary, changes in employment status, performance evaluations, disciplinary documents, and

such other information as may be considered pertinent by the Department.

An employee may request to place documents in the personnel file that commend their job performance with the District or that demonstrate educational attainment.

Personnel information about current or former District employees, other than position title and dates of employment, will not be disclosed to third parties except as required by law or as duly authorized in writing by the employee. An employee or former employee may authorize access to the disclosure of additional personnel information by providing written permission to the Administrative Services Department.

It is the employee's responsibility to notify the Administrative Services Department of any changes in the employee's address, phone number, marital status, dependent status, name change, training certificates, emergency contact, driving status/record, criminal convictions, or other pertinent information.

I. Cell Phone Allowance / Stipend Policy

Full time and part time year-round employees whose job duties include the requirement and frequent need for a personal cell phone to conduct work-related duties receive a cell phone allowance/stipend to reimburse for business related costs.

- \$30.00 per pay period given to management and other exempt staff with the expectation that these employees will answer phone calls and respond to urgent work-related emails after hours.
- \$21.00 per pay period given to employees in a Supervisory/lead worker capacity who may be required to use their personal cell phones for work-related purposes.
- \$20.00 per pay period given to staff members who may be required to use their personal cell phones for work-related purposes.

The District does not generally provide employees with District-owned cell phones. However, should a Department Head authorize procurement of a District-owned cell phone to be shared by staff in that Department, the cell phone shall be used for District business only. Personal use is prohibited on all District-owned cell phones. The District may also provide On-Call / Call Out cell phones to be used for work-related purposes only.

If an employee has an active contract and is receiving the allowance/stipend and their cell phone is damaged and/or destroyed in the course of business, the District does not reimburse the employee for replacement of the same or similar device. The District does not accept any liability for charges or disputes between the service provider and the employee

J. Auto Allowance

Employees who are required to use their personal vehicle for business purposes

may be provided with an auto allowance at the discretion of the General Manager.

K. Lactation Accommodation

If an employee chooses to work while expressing milk or breastfeeding, the employee may do so while continuing to work on paid time. If the employee chooses not to work, or is unable to work, the lactation time should be the same as the employee's regular break time.

The District must make separate time available if an employee needs extra or different time than their regularly scheduled breaks. For time that may be needed beyond the usual break times, an employee may use personal leave if available, otherwise any time beyond the employee's regular break time will be unpaid. Non-exempt employees do not have scheduled or limited breaks, and thus time expressing milk or breastfeeding does not require use of personal leave. At management discretion, beginning or ending work times may be adjusted to accommodate these breaks.

2. An appropriate private location

Appropriate private space shall be provided with reasonable efforts made for the location to be in close proximity to the nursing employee's work area. The space should be safe, clean, and free from hazardous materials, contain a surface other than the floor to place a breast pump and personal items, be equipped with an electrical outlet, and have comfortable seating.

The location may be the place where the nursing mother normally works if there is adequate privacy (e.g., the employee's private office, a supervisor's private office, or a conference room that can be secured).

Areas such as restrooms, closets or storage rooms are not appropriate spaces for lactation purposes. Storage rooms that do not contain noxious materials may be converted to be acceptable private spaces. If a multipurpose room is used for lactation among other uses, the use of the room for lactation shall take precedence.

A sink with running water and a refrigerator suitable for storing milk (or another cooling device) shall be made available in close proximity to the employee's workplace.

For non-traditional worksites and any required travel, the employee and the supervisor and/or the District's Human Resources should enter into a good faith interactive process to identify reasonable accommodations.

Notice/Information

The District's Human Resources shall provide a copy of this policy to employees prior to their maternity leave and after returning to work. Human Resources staff should document furnishing the policy to employees on both occasions.

Human Resources shall continue to be the lead division for equal employment opportunity policy, complaint resolution, and reasonable accommodation. As such, Human Resources shall be the lead division for lactation accommodation and shall monitor and provide guidance to other divisions for compliance with this directive and other non-discrimination laws, policies and procedures, and recommended training.

Lactation Accommodation Request Procedure

An employee has the right to request lactation accommodation. An employee who has need for lactation accommodation should inform their supervisor and/or Human Resources and discuss any relevant workload or scheduling issues.

Supervisors and/or Human Resources who receive a lactation accommodation request shall do the following:

Respond to the employee's request in writing detailing accommodations that will be made.

Zero Tolerance

Lactation should not constitute a source of discrimination in employment or in access to employment. It is prohibited under this policy to harass a lactating employee; such conduct unreasonably interferes with an employee's work performance and creates an intimidating, hostile or offensive working environment. Any incident of harassment of a lactating employee will be addressed in accordance with the District's policies and procedures for discrimination and harassment.

Filing a Complaint

Nursing mothers who feel they have been denied appropriate accommodation are encouraged to contact Human Resources. Human Resources may be contacted for information to file a complaint. Investigations will be conducted in accordance with the District's procedures.

Complaints may also be filed with the State compliance agency (Department of Fair Employment and Housing (DFEH) and/or State Labor Commission), and/or the Federal compliance agency (Equal Employment Opportunity Commission (EEOC)).

ARTICLE 4 – WAGES; PAYROLL

A. Timekeeping Requirements

Accurately recording time worked and submitting a timecard when it is due is the employee's responsibility. Federal and State laws require the District to keep an accurate

record of time worked in order to calculate employee pay and benefits on the appropriate payday. Time worked means the time actually spent on the job performing assigned duties, as opposed to paid time off for, e.g., vacation.

On a daily basis, non-exempt employees must accurately record the time they work. Non-exempt employees may not begin work more than five minutes before the start of their shift or stop working more than five minutes after the end of their shift without prior authorization from their Supervisor. Timecards for non-exempt employees are typically submitted to Supervisors or other designated staff on the last Thursday of the pay period, but may be required to be submitted earlier due to holidays or to meet other District requirements.

In order to track vacation and paid sick time, and as a tool for Management to evaluate performance, exempt employees must complete a timecard and submit it to the General Manager or Department Head on the last Thursday of each pay period unless an earlier submission date is required due to holidays or to meet other District requirements. The exempt time report should reflect only the days worked and any hours of paid or unpaid time off (and the type of leave) used during the pay period.

It is the employee's responsibility to electronically sign their timecard and to verify the accuracy of all time recorded. Supervisors will review and approve the timecard before submitting it to Accounting for processing. As designated by the Department Head, supervisory staff will review the timecard(s) for errors, and submit them electronically to the Supervisor for final submission to Accounting.

Altering, falsifying, or tampering with time records, punching in/out or recording time on another employee's timecard (even with that employee's permission) is prohibited, except for supervisors authorized to make such changes to timecards.

Any errors on a timecard should be reported immediately to a Supervisor/Crew Lead.

B. Administrative Pay Corrections

Employees should promptly review paychecks to identify and report any errors. In the unlikely event of an underpayment, overpayment, error in the calculation of accrued vacation or paid sick time, or unauthorized deduction made, the employee should promptly bring the discrepancy to the attention of the Administrative Services Department staff so the appropriate corrections can be made as quickly as possible.

C. Payment of Wages

Employees are required to submit electronic timecards in accordance with the District's payroll schedule. Paychecks are normally available by 4 p.m. every other Thursday. All employees are encouraged to enroll in direct deposit, which ensures timely and secure access to wages/paychecks. For those not enrolled in direct deposit, paper paychecks will be mailed to the current mailing address on file; paychecks will not be available for pick up by employees at the Administration Office.

D. Payroll Records

Employees may receive copies of their payroll records within twenty-one (21) days of making a request to the Administrative Services Department to do so. Employees may be charged for the cost of making copies, should the request exceed a reasonable amount.

E. Unclaimed/Lost Paychecks

Checks lost or otherwise missing should be reported immediately to the Administration Department so that a "stop payment" order may be initiated. Management will determine when, and if, a new check should be issued to replace a lost or missing check.

F. Direct Deposit

The District encourages automatic payroll deposits for employees. To begin automatic payroll deposit, the correct form must be completed and returned by the employee to the Administrative Services Department at least 10 days before the pay period begins.

To stop automatic payroll deposit, the employee must complete the form available from the Administrative Services Department and return it at least 10 days before the pay period.

G. Pay for Mandatory Meetings / Training

The District will pay employees for their attendance at meetings, lectures, and training programs with the following conditions:

- a. Attendance is mandatory;
- b. The meeting, course, or lecture is directly related to the employee's job;
- c. The employee who is required to attend such meetings, lectures, or training programs will be notified of the necessity for such attendance by their Supervisor;
- d. Employees who attend meetings, lectures or training programs will be

compensated at their regular rate of pay;

- e. For non-exempt employees, any worked hours in excess of 40 hours in a week will be paid at the applicable overtime rate.

H. Overtime for Non-Exempt Employees

Employees may be required to work overtime as business necessities arise. For all non-emergency needs, the District will provide as much advance notice as possible to the employee of the need to work overtime. The District will attempt to distribute overtime assignments evenly. All overtime work must be previously authorized by a Supervisor. Unauthorized overtime is a violation of District policy.

The District provides compensation for all overtime hours worked by non-exempt employees in accordance with Federal law as follows:

All hours worked in excess of 40 hours in one workweek will be treated, and compensated, as overtime. For those employees who work the alternate work schedule (9/80), the workweek begins at four hours on the day in which the employee has a scheduled day off and ends at 11:59 a.m. seven days later on the same day of the following workweek. Compensation for actual hours worked in excess of 40 worked hours for the workweek shall be paid in accordance with applicable law.

I. Meal and Rest Periods

Employees who work more than five hours per day are required to take an unpaid meal period, which must commence before the end of the fifth hour of work. Full-time employees in the Administration and Recreation departments are provided with a 60-minute meal period to be taken approximately in the middle of the workday. All part-time employees and all employees in the Parks department are provided with a 30-minute meal period to be taken approximately in the middle of the workday. However, if the employee is scheduled to work no more than six hours during the workday, they can choose to waive their meal period by signing a voluntary written waiver. This waiver must be in writing and voluntarily signed by the employee and is available from the Administrative Services Department.

Employees wishing to take a 30-minute meal break may do so in lieu of a standard 1-hour meal period with the prior approval from a Department Head. Meal periods are scheduled by the immediate Supervisor and may not be taken at the beginning or the end of a workday or added to a break. Employees may leave the premises during their meal period.

Employees are allowed a 15-minute rest period for every four hours of work or major portion thereof; 15-minute breaks are paid for by the District and are not recorded on timecards. Supervisors will schedule rest periods.

It is expected that employees observe their assigned working hours, and the time

allowed and scheduled for meal and rest periods. Rest periods may not be longer than 15 minutes and they must take place on the premises. Rest periods may not be combined to shorten the workday or to extend the meal period.

J. Permission to Leave During Working Hours

If any employee needs to leave their assigned work area during working hours for non-work related reasons, they must obtain permission from their immediate supervisor before leaving. If the immediate supervisor is unavailable, approval must be obtained from the next highest authority.

K. Call in to Work

The District will pay a minimum of two hours of pay to non-exempt employees who are contacted by, and required by, their immediate Supervisor or Crew Lead to report to work on a day other than their normally scheduled workday or after their normal workday has ended. This may involve emergency situations. If the call-in lasts longer than two hours, the employee will be compensated for all time worked.

L. Shift Differential Pay

The District's normal business hours range from 6:00 am to 10:00 pm, Saturday through Friday. The District shall pay full-time non-exempt employees a shift differential of five percent (5%) for hours worked between 8:00 pm and 6:00 am.

L. Out of Class Assignments

If an employee is assigned all of the significant duties of a higher classification for more than 15 consecutive working days (120 regular hours) in duration, the employee so assigned shall be compensated at the minimum rate established for the higher class, or 5% above the employee's regular base rate of pay, whichever is greater, with pay effective upon the date of the change of assignment. Under no circumstances shall the employee receive an amount greater than the maximum step of the higher class.

This policy shall apply in temporary situations due to:

- The extended leave or other temporary absence of the employee in the higher classification;
- A vacant position is to be filled and there is no valid eligibility list for the classification. In this case, if the Department Head has initiated procedures to fill the vacancy, they may assign an employee to fill that position on a temporary basis not to exceed 90 days. If an eligibility list exists for the vacant position, the Department Head may appoint an employee from the eligibility list at the earliest possible date;

No regular positions shall be filled by out-of-class appointees for a period longer than 90 days, except when due to special circumstances such as extended leaves of absence or in cases of emergencies, as approved by the General Manager.

Individuals hired specifically to temporarily fill a position vacancy due to illness, vacation, etc. are also excluded from working out-of-class.

Individuals appointed to work out-of-class must meet minimum qualifications of the higher classification, must be capable of handling major duties of the higher-level classification without any more supervision than another would in the same job.

The mere performance of certain portions of the higher position or only performing the less difficult duties until the position is filled does not constitute working out-of-class.

When an employee is assigned to work in a higher-level classification, the employee shall not receive a change in their benefits. Similarly, a part-time non-exempt employee temporarily filling a regular full-time position shall receive no additional benefits nor shall they be subject to retirement system deductions unless they meet CalPERS threshold.

While working in an out-of-class assignment, an employee shall continue to accrue, and have recorded, normal step increases in the employee's regular assignment.

At the time an employee returns to their regular assigned position, their salary will reflect the same salary rate as before the out-of-class assignment. At any time during the out-of-class appointment, an employee may be removed from the appointment. Out-of-class appointments may not be made in excess of authorized budgeted funds without the approval of the General Manager.

The District will not pay employees who report to work but are unable to work due to the following circumstances:

- Interruption of work because of the failure of any or all public utilities; or
- Interruption of work because of natural causes or other circumstances beyond the District's power to control.

M. Business Expense Reimbursement

Employees who have incurred business expenses must submit original receipts and the appropriate expense reimbursement form to the Administrative Services Department staff. All reimbursable expenses must be submitted within 30 days of time incurred. Employees should refer to the District's Travel Policy for additional information.

Personal and/or vacation travel may be combined with business travel, provided there is no additional cost to the District, and the additional travel time meets with the approval of the General Manager. The District credit cards are not to be used for personal expenses.

N. Advances

The District does not permit advances against paychecks and does not permit employees to take vacation or paid sick time before it is accrued.

ARTICLE 5 – LEAVES OF ABSENCE

The District may grant leaves of absence to employees in accordance with the below policies and applicable law. Prompt notice of any change in anticipated return-to-work date from an approved leave is required. Failure to return to work as scheduled at the end of an approved leave may be considered abandonment of employment and a voluntary resignation by the employee.

Employees should contact the Administrative Services Manager or designee for further information.

A. Vacation

The District supports and encourages the use of vacation to provide eligible employees with opportunities for rest, relaxation, and personal pursuits. Vacation time off with pay is available to all full-time and part-time year-round employees. Actual accrued vacation time must be sufficient to cover any requested vacation time off before it can be taken, and vacation time will not be advanced before it is accrued or paid in lieu of taking actual time off.

Except as otherwise stated in any contract, bargaining agreement or MOU providing for a higher accrual rate of vacation time, employees shall be entitled to accrue vacation at the rates stated herein. FULL TIME			
Years of Service	Accrual Rate Per Pay Period	Accrual Hours per Year	Max Accrual Cap (Annual Hours)
0-5 Years	3.08	80	160
6-8 Years	3.85	100	200
9-12 Years	4.62	120	240
13-15 Years	5.38	140	280
15(+) Years	6.15	160	320
PART TIME YEAR-ROUND			
Years of Service	Accrual Rate Per Pay Period	Accrual Hours per Year	Max Accrual Cap (Annual Hours)
0-5 Years	2.31	60	80
6-8 Years	2.89	75	100
9-12 Years	3.47	90	120
13-15 Years	4.04	105	140
15(+) Years	4.61	120	160

Vacation begins to accrue the first payroll period of employment, but no accrued vacation time may be used by new or rehired employees until completion of 90 days of continuous service. Vacation may be requested in increments of one (1) hour or more.

Exempt employees absent for personal reasons for two (2) hours or more in a workday will have the corresponding amount of time off applied from their accrued vacation.

Current accrued vacation is reflected on pay stubs. If an employee believes an error has been made on an employee's vacation accrual, they should immediately report the issue to payroll for a correction or explanation.

Supervisors generally respond to a written request for vacation within five (5) business days from the date the employee provides their direct Supervisor the request. The Supervisor written response to the vacation request shall either grant or deny the request. If the request is denied, the Supervisor will generally provide the reason for the denial. The District will attempt to provide requested vacation time; however, the District reserves the right to deny employee vacations, e.g., if required by business necessity. Vacation requests should be made a minimum of two (2) weeks in advance of the requests' time off.

Vacation Cap. Once the employee reaches the applicable maximum accrual as stated in the above chart, vacation time shall cease to accrue until the employee uses sufficient vacation to drop their total accrual below the maximum accrual limit.

Seniority and annual rotation [?] may be taken into consideration when resolving schedule conflicts [related to vacation requests?]. The General Manager will make final determinations on disputes over time off requests.

An employee whose employment terminates for any reason (including employees in their introductory period) will be paid for accrued unused vacation.

Vacation Redemption

After six (6) years of continuous District service, a non-represented employee may elect to receive cash in lieu of up to eighty (80) hours of future vacation accrual at the hourly rate of pay/salary rate at the time of cash out. Any such election shall be subject to the following conditions:

Any employee wishing to receive cash in lieu of vacation hours must submit an irrevocable written election to the District by December 1st of the calendar year prior to the calendar year in which the employee wishes to redeem vacation hours. They may obtain and submit the irrevocable written election form from the Human Resource Specialist or other District designated person.

In order to be eligible to convert future accumulated vacation to cash, an employee must maintain a minimum of one hundred (100) hours of vacation within the employee's account balance after submitting the irrevocable written election form and after the future distribution has been made.

An employee must also use eighty (80) hours of accrued vacation during the twelve-month period immediately preceding the submittal of the irrevocable written election form. For this purpose, "use" shall mean actually taking time off work and being

paid vacation pay for such time off. If the employee has not used eighty (80) hours of accrued vacation in the twelve (12) months (i.e., December 1 – November 30) immediately preceding the submission of the irrevocable written election form, the employee is not eligible for cash-out, and the cash-out request shall be denied.

After a qualified irrevocable written election is made and approved, an employee may request cash-out payments during the calendar year following their election (provided sufficient future accrual has occurred to cover the cash-out) by submitting a request for CASH payment in the ordinary payroll process. An employee shall have the option of receiving one or two cash vacation payouts per calendar year, but all of the designated irrevocable cash-out must be paid by calendar year-end.

Options for cash payment for future calendar year accrued vacation:

Up to forty (40) hours may be paid out the last pay period in June.

Any hours exceeding forty (40) will be paid out in the initial pay period of December.

Employees may opt to designate all accrued hours to be paid out in the initial pay period of December.

Employees who are eligible for vacation redemption and do not make an affirmative irrevocable written election by December 1 shall be deemed to have waived their option to elect a vacation pay-out in the subsequent calendar year and shall lose any and all entitlement to do so until next December 1, or upon separation of employment.

The Administrative Manager and Human Resource Specialist shall develop and be responsible for maintaining and updating forms and procedures for the implementation of this program.

B. Management Leave – EXEMPT EMPLOYEES

It is recognized that exempt employees are paid a salary that is intended to compensate them for all time worked. Accordingly, exempt employees are expected to work the hours necessary to fulfill the responsibilities of their position, recognizing that their salary covers all hours worked and does not include additional compensation for extra time.

The District grants to regular exempt employees twenty (20) hours of additional paid time off, called “management leave” per quarter, January 1 to March 31, April 1 to June 30, July 1 to September 30, October 1 to December 31, to be used at the employee’s discretion with the General Manager’s or Department Manager’s approval.

The 20 hours will be granted to eligible exempt employees on the first of each quarter: January 1, April 1, July 1, and October 1. The maximum accrual cap is 20 hours per quarter, and quarterly accruals will be reduced by balance carried over from the

previous quarter, not to exceed earnings of 80 hours per fiscal year.

C. Compensatory Time Off

Full Time, non-exempt employees may elect to receive compensatory time off in lieu of being paid overtime for overtime hours worked, with approval of their Supervisor. Compensatory time off is accrued at one- and one-half hours for every hours of overtime worked. A request to receive compensatory time off in lieu of cash overtime must be approved by a Supervisor prior to working the overtime.

The District has a cap of 80 hours on accrued compensatory time off. Once the cap is reached, no additional compensatory time may be accrued until the employee takes sufficient compensatory time off such that their total compensatory time off hours fall below the cap. Employees who cannot, or who do not elect to, receive additional compensatory time off will be paid overtime for any overtime worked.

In the event that an employee is promoted, all compensatory time accrued in the previous position will be paid to the employee on the last paycheck prior to the effective date of their promotion.

The granting, recording, and taking of compensatory time off shall generally be in accordance with established vacation procedures.

D. Paid Sick Time

Paid sick time is a benefit provided to employees to use in case they are unable to work due to illness or injury, or otherwise as required by law.

Paid sick time is used only when actually required to obtain medical assistance or recover from illness or injury or other reasons allowed by law. Sick time is not for “personal” time off or other types of absences that do not qualify as paid sick time use.

Paid sick time may be requested for the diagnosis, care, or treatment of an existing health condition of, or preventive care for, an employee or an employee’s family member or for an employee who is a victim of domestic violence, sexual assault, or stalking.

For the purpose of this section, an employee’s “family member” includes: (i) a spouse; (ii) a registered domestic partner; (iii) a child; (iv) a parent; (v) a grandparent; (vi) a grandchild; (vii) a sibling; or (viii) a “designated person” designated by the employee at the time they request paid sick time. Employees are limited to one designated person per 12-month period for purposes of this policy.

Accrued sick leave may be used in increments of a minimum of one-quarter (1/4) hour.

In cases of an employee who is a victim of domestic violence, sexual assault, or stalking, the employee may use sick leave to obtain any relief or services related to being such a victim, including but not limited to: (i) a temporary restraining order; (ii) other injunctive relief to help ensure the health, safety or welfare of themselves or their children; (iii) seeking medical attention for injuries caused by domestic violence, sexual assault, or stalking; (iv) obtaining services from a domestic violence shelter, program, or rape crisis

center as a result of domestic violence, sexual assault, or stalking; (v) obtaining psychological counseling related to an experience of domestic violence, sexual assault, or stalking; (vi) participation in safety planning and take other actions to increase safety from future domestic violence, sexual assault, or stalking, including temporary or permanent relocation.

The District may require certification for use of sick leave for unscheduled absences under this policy.

Except as stated in any employment contract, bargaining agreement, or MOU providing for a higher accrual rate of paid sick time, employees accrue paid sick time at the rates stated below.

1. Full-Time Employees Paid Sick Time Accrual

Every full-time employee shall accrue paid sick time at the rate of 3.69 hours per pay period.

Paid sick time shall continue to accrue during any period the employee is in District-paid status, including paid leaves of absence. There shall be no cap on the amount of paid sick time a full-time employee may accumulate.

2. Part-Time Year-Round Employees Sick Time Accrual

Paid sick time shall continue to accrue while the employee is in District-paid status, including during paid time off. There shall be no cap on the amount of paid sick time hours an employee in this classification may accumulate.

3. Temporary, Seasonal and/or Part Time Restricted Employees Sick Time Accrual

4. Charge for Paid Sick Time

Employees who works part of a working day shall be credited with those hours worked and may request to use paid sick time only for those hours not worked for reasons of illness or injury, or otherwise as permitted by law. Paid sick time must be used in a minimum of one-quarter (1/4) hour increments.

5. Proof of Illness

A doctor's certificate may be required of the employee in cases of absence due to illness for three (3) or more consecutive days, or as otherwise requested by the District.

6. Notice of Sickness

If an employee is unable to come into work because of illness, they must notify the Department Manager or designee no later than one hour prior to the start of the employee's scheduled workday. It is the responsibility of the employee to keep the Department Manager or designee informed as to any need for continued absence beyond the first

day.

7. Cash Value upon Termination

Accumulated paid sick time is not paid out to any employee who terminates employment for any reason prior to the completion of five (5) years of service with the District.

Employees who terminate after the completion of five (5) years of employment shall be compensated for twenty-five percent (25%) of their accrued but unused paid sick time, up to a maximum of 500 hours.

Employees with 10 or more years of service at time of termination will be compensated for up to fifty percent (50%) of their accrued but unused paid sick time, up to a maximum of 1,000 hours. The rate of paid sick time cash-out is based upon the employee's compensation in effect at the time of termination.

8. Value upon Retirement

Upon retirement of eligible employees, all accumulated paid sick time will be converted to retirement benefit credits, with no cash out from the District, in accordance with terms and conditions of the District contract with the Public Employees' Retirement Systems (PERS).

E. Family Care and Medical Leave

The District will provide up to 12 weeks of unpaid family and medical care leave for eligible employees under the federal Family and Medical Leave Act (FMLA) and the California Family Rights Act (CFRA),

1. Definitions

“12-Month Period” means a rolling 12-month period measured backward from the date leave is taken

For purposes of this policy, “Family Member” means a child, parent, spouse or Domestic Partner, sibling, grandparent, grandchild, or designated person. Under this policy, a “designated person” is one related by blood, or who is in a relationship equivalent to a family relationship, with the employee. Employees are limited to one designated person per 12-month period for purposes of this policy.

“Serious Health Condition” means an illness, injury impairment, or physical or mental condition that involves:

1. Inpatient care (*i.e.*, an overnight stay) in a hospital, hospice, or residential medical care facility; or
2. Continuing treatment by a health care provider.

2. Reasons for Leave

Leave is only permitted for the following reasons:

1. The birth of a child or to care for a newborn;
2. The placement of a child with an employee for adoption or foster care;
3. To care for an employee's family member with a serious health condition;
4. Because of a serious health condition that makes the employee unable to perform the functions of his or her position;
5. Military exigency leave; or
6. Leave to care for a next-of-kin who is a covered service member with a serious health condition related to their military service.

3. Employees Eligible for Leave

An employee is eligible for leave if the employee:

- Has been employed at the District for at least 12 months; and
- Has worked for at least 1,250 hours during the 12-month period immediately preceding the commencement of the leave.

The District calculates the amount of FMLA/CFRA leave available to eligible employees by using a "looking back" method. This means that if an employee requests FMLA/CFRA leave, the District looks back over the preceding 12 months to determine if the employee has taken any FMLA/CFRA leave during that time period. If the employee did take FMLA/CFRA leave, then that previously used time would be deducted from the amount of leave for which the employee is now eligible. If the employee has not taken any FMLA/CFRA leave in the 12-month period preceding the leave, then the employee would be eligible for all 12 weeks of FMLA/CFRA leave.

4. Amount of Leave

Eligible employees are entitled to a total of 12 workweeks of unpaid leave during any 12-month period. In most instances, leave under FMLA will run concurrently with CFRA.

5. Minimum Duration of Leave

If leave is requested for the birth, adoption, or foster care placement of a child of the employee or domestic partner, leave must be concluded within one (1) year of the birth or placement of the child. In addition, the basic minimum duration of such leave is two (2) weeks. However, an employee is entitled to leave for one of these purposes (e.g., bonding with a newborn) for at least one (1) day, but less than two (2) weeks' duration on any two (2) occasions.

6. Benefits While on Leave

Leave under this policy is unpaid. However, an employee may be able to use accrued paid time off during the leave. While on leave, the employee will continue to be covered by the District's group health insurance to the same extent that coverage is provided while the employee is on the job.

The employee may be entitled to apply for other, non-District provided benefits during this leave under certain state programs. The District is not responsible for administering any such state benefits programs.

Employees may make the appropriate contributions for continued coverage under the preceding non-health benefit plans by payroll deductions or direct payments made to these plans.

8. Using Accrued Paid Time Off Concurrently with Family/Medical Leave

When an employee has accrued paid vacation time, that paid time must be used during the otherwise unpaid leave under this policy to the extent permitted by law.

An employee is may use paid sick time concurrently with leave under this policy if:

- The leave is for the employee's own serious health condition; or
- The leave is needed to care for a family member with a serious health condition.

9. Employee Notice of Leave

Although the District recognizes that emergencies arise that may require employees to request immediate leave, employees are required to give as much notice as possible of their need for leave. If leave is foreseeable, at least 30 days' notice is required.

10. Medical Certification

Employees who request leave for their own serious health condition, or to care for a family member who has a serious health condition, must provide written certification from the qualified health care provider of the individual requiring care.

a. Time to Provide Medical Certification

In order to request family and medical leave, the employee should fill out a request form found in Human Resources and provide any required medical certification in advance of the leave or as soon as practicably possible thereafter, or within 15 days of a request by the District.

b. Consequences of Failure to Provide Adequate or Timely Certification

The District will advise the employee in writing if any additional information is necessary to make the medical certification complete and sufficient. In such case, the employee will generally have seven (7) calendar days to cure any deficiencies in the medical certification. If the deficiency is not cured, the District may deny the FMLA/CFRA leave.

c. Second Opinions

If the District has reason to doubt the validity of a medical certification, the District may require a medical opinion of a second health care provider chosen and paid for by the District. If the second opinion is different from the first, the District may require the opinion of a third health care provider jointly approved by the District and the employee but paid for by the District. The opinion of the third provider will be binding.

11. Intermittent Leave or Reduced Schedule Leave

If employee requests leave intermittently (e.g., a few days or hours at a time) or on a reduced leave schedule, the employee must provide medical certification that such leave is medically necessary. “Medically necessary” means there must be a medical need for the leave and that the leave can best be accomplished through an intermittent or reduced leave schedule.

12. Reinstatement on Return from Leave

a. Right to Reinstatement

On expiration of leave, an employee is entitled to be reinstated to the same position or to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment.

b. Employee’s Obligation to Periodically Report

An employee may be required to periodically report on their status and intent to return to work. This will avoid any delays to reinstatement when the employee is ready to return.

c. Medical Certification

As a condition of reinstatement of an employee whose leave was taken because of the employee’s own serious health condition, the employee must obtain and present a return-to-work certification from the health care provider stating that the employee is able to work, and stating any work restrictions and the anticipated duration of those work restrictions.

F. Pregnancy Disability Leave

Under the California Fair Employment and Housing Act (FEHA), an employee disabled by pregnancy, childbirth, or related medical conditions is eligible to take up to

four (4) months (or 88 work days for a full-time employee) of unpaid Pregnancy Disability Leave (“PDL”), and may also be eligible to transfer to a less strenuous or hazardous position or to less strenuous duties, if a health care provider determines such transfer is medically advisable. At the end of the leave, the employee will be reinstated in the same or a substantially equivalent position, unless the position has been eliminated because of a change in business conditions or operations unrelated to the PDL.

There is no minimum amount of time worked to qualify for PDL.

The PDL need not be taken in one continuous period of time; it can also be taken on a reduced schedule or an intermittent, as-needed basis.

Time off for prenatal care, severe morning sickness, doctor-ordered bed rest, childbirth, and recovery from childbirth are covered by PDL.

1. Certification from Health Care Provider:

The period of pregnancy-related disability shall be determined by the employee’s health care provider. The employee must obtain a certification from their health care provider of the pregnancy-related disability or, if applicable, the medical advisability for a transfer to a less-strenuous position, and provide it to the General Manager or designee. The certification should include: the date on which the employee became disabled due to pregnancy or the date of the medical advisability of the transfer; the probable duration of the period(s) of disability or the duration of the intermittent leave or transfer to a less strenuous position; and a statement that, due to the disability, the employee is unable to work at all or perform any one or more of the essential functions of the position without undue risk to the employee, to the successful completion of the pregnancy, or to other persons, or a statement that, due to pregnancy-related disability, an intermittent leave or transfer to a less strenuous position is medically advisable.

2. Use of Paid Sick Time

The employee is entitled to use accumulated paid sick time during PDL.

3. Use of Additional Accrued Paid Leave

At the employee’s option, any additional accrued time off, other than paid sick time, may be used during the PDL while on paid leave, the employee will continue to accrue vacation and paid sick time benefits. If the employee is on District-unpaid status, the employee will no longer accrue vacation or paid sick time benefits.

5. Health Benefits During PDL Leave

During PDL, group health benefits will continue at the same level and conditions as if the employee had continued working.

6. PDL Concurrent with FMLA Leave

PDL leave shall run concurrently with FMLA leave, if the employee is FMLA-

eligible. However, it shall not run concurrently with CFRA leave. (See Section N below) . more information regarding this leave, , contact the Administrative Services Manager.

7. Return to Work

Employees returning from PDL must provide a medical release to return to work. Upon return following PDL leave, the employee is entitled to be reinstated in their same position or a comparable position.

8. Seniority

The employee will continue to accrue seniority while on PDL, whether the leave is paid or unpaid. Employees on pregnancy leave may also be eligible for benefits under the District's Short Term and/or Long-Term Disability Plan. Employees must file a claim in order to receive these benefits. Forms are available from the District's Personnel Office.

If an employee takes a pregnancy disability leave of absence while on probation, her probationary period shall be extended by the same length of time as the PDL.

H. Military Leave

The District provides military leaves of absence to employees who serve in the uniformed military services as required by the Uniformed Services Employment and Reemployment Rights Act of 1994 and applicable state laws. Leave is available for active duty, active duty for training, and initial active duty for training, inactive duty training, full-time National Guard duty, and for examinations to determine fitness for duty.

Total military leave time generally may not exceed five (5) years during employment. Advance notice of leave is required. Employees must inform their manager of anticipated military leave time as far in advance as possible and submit copies of military orders, training notices, or induction information as soon as received.

I. Personal Leave

An unpaid personal leave of absence without pay may be granted at the discretion of the District General Manager or designee. Reasons for a leave may involve family emergencies or extenuating circumstances not covered by other leaves of absence. Each request for a leave of absence will be considered on a case-by-case basis. All accrued vacation must be used in connection with a personal leave of absence. Requests for personal leave should be limited to unique circumstances requiring an absence of no longer than two (2) weeks.

Requests for personal leave must be submitted in writing to the General Manager or designee and cannot be taken unless they are approved.

Although the District normally attempts to reinstate employees returning from personal leave, the District cannot guarantee that the employee's job will be held open for them until they return.

An employee on personal leave is not permitted to accept other employment while on leave.

Failure to return to work as scheduled at the end of an approved personal leave will be considered abandonment of employment and a voluntary resignation by the employee.

J. Leave of Absence Without Pay

Leave of absence without pay must be requested in advance and in writing. Any employee requesting a leave of absence without pay must first exhaust all available accrued paid time off, including accrued compensatory time-off, administrative leave, vacation time (and paid sick time if appropriate) prior to the start of the leave without pay. No single leave of absence without pay may exceed three (3) months without approval of the General Manager.

K. Emergency Leave Donations

Employees who meet established guidelines discussed below are allowed to donate earned vacation, comp-time, floating holiday, sick, Regular Day Off-Holiday (RDO-H) and paid administrative hours to other employees for prolonged absences from work due to the employee's serious and prolonged non-work related injury or illness.

Such donations of paid time off may be permitted under the following conditions:

The Department Manager must approve, in advance, the request to donate.

- Any eligible employee wishing to receive such donations must complete the Request for Paid Time off Donations Form. The form must be signed by the employee and approved by the requesting employee's Department Head.
-
- Upon approval of an employee's request for donated time, the Human Resources personnel may, if requested to do so by the employee, post a notice of the need for leave donations for the affected employee.
- Any eligible employee who wishes to donate accrued paid time off must complete the Authorization for Paid Time Off Donations Form. This form must be signed by the donating employee and submitted to Human Resources or designee.
- The donating employee must have a total of at least 120 hours of sick, vacation and/or comp-time remaining on the books after the donation is made. Donations are entirely voluntary, and time is to be donated in whole hour increments.
- The donated hours will be converted to a dollar equivalent, and the receiving employee will receive any donations at their hourly rate of pay equivalent.
- To be eligible for emergency donations, the receiving employee must have

exhausted, or will soon exhaust, all accrued paid time off due to their serious injury or prolonged illness .

- Any donated time remaining at the end of the employee's leave of absence due to the injury or illness will be left in the bank for future requests.

L. Bereavement Leave

In the event of a death in an employee's family, and upon the employee's request, the District shall grant the eligible employee up to five days of bereavement leave, as provided below.

For the purpose of this Article, the term "family member" shall be defined as spouse, child, parent, sibling, grandparent, grandchild, parent of a spouse, registered domestic partner, and parent of a registered domestic partner.

1. Bereavement leave will be paid at full pay for up to five workdays.
2. If the employee requests to take a cumulative leave of longer than five (5) workdays, the District will consider the request and, if approved may allow the employee to use accrued vacation or compensatory time.

An employee desiring to attend a funeral of someone who is not a defined family member may request the time off of their Supervisor at least two (2) days in advance. If the time off is approved, the employee must use application accrued paid time off (e.g., vacation time).

M. Jury Duty and Witness Leave

The District encourages employees to fulfill their civic responsibilities by serving jury duty when called or appearing as a witness if subpoenaed to do so. Employees must inform their Supervisor of the need for time off for jury or witness duty as soon as they receive a notice or summons from the court.

1. Regular full time employees who are called for jury or witness duty due to a job-related subpoena shall receive paid jury duty time for up to 10 days per calendar year.
2. Part-time Year-Round employees will be paid for jury duty for up to 40 hours.

An employee who is required to participate in jury duty will be required to provide written verification from the court clerk for performance of jury service. If an employee is required to serve jury duty beyond the period of paid jury duty leave, they may use any available vacation or may request an unpaid jury duty.

If at least two hours of work time remains after the employee is excused from daily jury duty, they will be expected to return to work for the remainder of their work schedule.

An employee may retain any mileage allowance or other fee paid by the court for

jury services.

N. Time Off for Voting

If an employee does not have sufficient time outside of working hours to vote in an official state-sanctioned election, the employee may take paid time off to vote. The employee must request to take such time off up to two hours, either at the beginning or the end of the regular working shift, whichever allows for more free time to vote. An employee requesting time off to vote shall give their Supervisor at least two (2) days' notice prior to the Election Day.

O. Volunteer Civil Service Personnel

Employees are eligible for unpaid leave to perform emergency duty as a volunteer firefighter, a reserve peace officer, or emergency rescue personnel or for related training. A Supervisor should be notified by an employee if they are a civil service volunteer in case it is necessary to take time off for emergency duty. When taking time off for emergency duty, employees must alert their Supervisor before doing so as early as possible and provide documentation of service on their return.

P. Workers' Compensation

Employees who sustain a work-related illness or injury are covered by the District's workers' compensation insurance. The workers' compensation benefits provided to injured employees may include:

- Medical care
- Cash benefits, tax free, to replace lost wages
- Assistance to help qualified injured employees return to suitable employment

To apply for workers' compensation benefits, an employee needs to:

- Immediately report any work-related injury to their Supervisor, and no later 24 hours after the injury.
- Notify the Administrative Services Department who will schedule an appointment at an in-service provider/clinic for initial treatment. In the event of an emergency requiring immediate care, 911 may be called. It is an employee's responsibility to work with the Administrative Services Department to seek medical treatment and follow-up care if required.
- Complete an Employee Accident Report.
- Complete a written Employee's Claim Form (DWC Form 1) and return to the Administrative Services Department.

- Provide the District with a certification from the health care provider, if requested, supporting the need for workers' compensation leave and/or work restrictions.

The District generally provides medical treatment for work-related injuries through a medical provider network approved by the District's workers' compensation insurance, which the District has chosen to provide medical care to injured employees because of their experience in treating work-related injuries. All employees and volunteers must go to the clinics and hospital listed on the website, <http://www.eiampn.csac-eia.org>.

Employees who are ill or injured as a result of a work-related incident, and who are also eligible for family and medical leave under FMLA and/or CFRA, will be placed on FMLA/CFRA leave during the time they medically unable to return to work. The leave under these laws runs concurrently, and eligible employees may be provided FMLA/CFRA leave for a maximum of 12 weeks in a rolling 12-month period.

Paid sick time is a benefit that also covers absences for work-related illness or injury. Workers' compensation benefits usually do not cover absences for medical treatment. When a work-related illness or injury is reported, the employee will be sent for medical treatment, if treatment is necessary. They will be paid their regular wages for the time spent seeking initial medical treatment.

Any further medical treatment will be under the direction of the health care provider. Any absences from work for follow-up treatment, physical therapy or other prescribed appointments will not be paid as time worked. If an employee has accrued and unused paid sick time, these additional absences from work will be paid with the use of sick time.

If an employee does not have, or has exhausted, accrued, paid sick time, the employee may choose to substitute accrued vacation for further absences from work related to the illness or injury.

Generally, the District is not liable for the payment of workers' compensation benefits for injuries that occur during voluntary participation in any off-duty recreational, social or athletic activity sponsored by the District, even if such activities take place at a District sponsored event, such as a staff picnic or other social gathering. Participation in all such activities, even if planned or sponsored by the District, is not considered part of any employee's job duties or employment responsibilities and should be considered entirely voluntary.

Q. School Activities

Employees are encouraged to participate in the school activities of their child(ren). Any employee who is a parent or guardian of a pupil and who is requested to appear at the pupil's school may time off without pay for this purpose, provided the employee gives reasonable notice to their Supervisor.

Any employee who is a parent, guardian or grandparent having custody of one or more children in Kindergarten or grades 1-12, or attending a licensed day care facility, may take up to a total of forty (40) unpaid hours each school year to participate in activities of

the school or to address school emergencies. School activity leave may not exceed eight hours in any calendar month. Employees requesting school activity leave must give reasonable notice to their Supervisor. The employee may elect to use vacation, comp time or holiday time during this otherwise unpaid leave.

R. Employee Literacy Assistance

Employees who desire assistance in enrolling in an adult literacy education program should contact the Administrative Services Department. Human Resources will assist an employee in locating and enrolling in a literacy education program. Employee requests will be kept confidential.

S. Victims of Domestic Violence, Sexual Assault or Crime Leave

Employees who are victims of domestic violence, sexual assault, stalking or other crimes as specified by law may request time off without pay as necessary for obtaining legal relief, including but not limited to a temporary restraining order or other injunctive relief for the employee's protection, as well as their child's protection, or to attend to judicial proceedings. Time off from work may also be requested by employees who are not the victims of a crime, but who are immediate family to such victims.

Employees who are victims of domestic violence, sexual assault or other crimes as specified by law may also request time off without pay as may be necessary for seeking medical attention, seeking assistance or services from a domestic violence shelter, program or rape crisis center, obtaining psychological counseling or participating in activities designed to ensure the victim's safety and well-being.

An employee who takes time off is required to provide the Administrative Services Department with reasonable advance notice unless such notice is not feasible. The employee must also provide documentation to the Administrative Services Department supporting the need for this leave (e.g., a police report indicating the employee was a victim of domestic violence, a restraining order or any other evidence certifying a court appearance or documentation from a medical professional, health care provider, domestic violence advocate, or counselor that the employee is undergoing treatment for physical or mental injuries or abuse).

Victims of domestic violence, sexual assault or other crimes as specified by law may use any available paid sick time, vacation, or compensatory time off during this otherwise unpaid leave.

T. Organ and Bone Marrow Donation Leave

An employee may request a paid leave of absence up to 30 business days, plus unpaid leave of up to another 30 days, in a one-year period to donate one of their organs to another person. The one year starts from the date the employee takes a leave pursuant to this section.

An employee may request a paid leave of absence up to five (5) business days in

a one-year period to donate their bone marrow. The one year starts from the date the employee takes a leave pursuant to this section.

The employee must provide written medical verification to the District that they are an organ or bone marrow donor, and that there is a medical necessity for the donation. The District may require the employee to take up to five (5) days of sick or vacation time for bone marrow donation and up to two (2) weeks of sick or vacation time for organ donation.

ARTICLE 6 - BENEFITS

The District provides a comprehensive array of benefits in addition to leaves of absence described in the above Article. Further details regarding the benefits set forth below can be obtained from the Administrative Services Department.

A. Holidays

The District provides regular full-time employees with 12 paid holidays on the days listed below:

- New Year's Day – January 1st
- Martin Luther King Jr. Birthday – Third Monday in January
- Presidents' Day – Third Monday in February
- Memorial Day – Last Monday in May
- Independence Day – July 4th
- Labor Day – First Monday in September
- Indigenous Peoples Day – Second Monday in October
- Veterans Day – November 11
- Thanksgiving Day – Fourth Thursday in November
- Friday after Thanksgiving Day
- Christmas Eve Day- December 24th
- Christmas Day – December 25th

For most employees, if a holiday falls on Saturday, the holiday will be observed on

the Friday before, and holidays falling on Sunday will be observed on the Monday after.

- Regular full-time non-exempt employees will receive straight time pay for District-recognized holidays. Holidays are paid equal to the number of hours an employee regularly would have been scheduled to work had it not been a holiday.
- Part-time Year-Round employees will receive straight time pay for District-recognized holidays. Holidays are paid equivalent to the employee's regularly scheduled work day. To receive holiday pay, employees must work their normal workday immediately before and after the holiday. If on approved leave (e.g., vacation) they will receive holiday pay, and the holiday will not be deducted from their accrued paid time off balance.

If an unscheduled day off is taken, then employees will generally not receive holiday pay, unless a doctor's note is provided supporting the need for the unscheduled day off.

Non-exempt employees who are required to work on a District holiday shall be compensated at the straight time rate for time actually worked. In no event shall employees who work on a District-recognized holiday be compensated in excess of one and one-half (1 ½) times the employee's regular hourly rate of pay.

An employee must be in District-paid work status to receive holiday pay.

The District Administration Office is closed on the holidays listed above; however, other facilities and programs may be open on a holiday.

If a fixed holiday falls on an eligible employee's regularly scheduled day off, the full-time employee will receive holiday compensatory time. Holiday compensatory time must be used within 90 days, or it will be paid out to the employee. Upon termination or retirement, employees shall be compensated for any unused holiday compensatory time at their current regular hourly rate of pay.

B. Federal Social Security Act

The Federal Social Security Act is designed to assist with future financial security of eligible employees and their eligible dependents, and may provide for retirement, disability, death, survivor and Medicare benefits. The plan requires equal contribution from both the employer and the employee. District employees covered by Social Security participate through payroll deductions.

C. California Public Employee Retirement System (CalPERS)

The District makes contributions to each eligible employee's retirement through the California Public Employees' Retirement Systems (CalPERS) beginning of their the date of hire, and with contributions based on their wages. Employees are vested in their CalPERS retirement benefits after five (5) years of service with the District. Upon separation from the District, this benefit can be transferred only if the employee goes to work for another public employer who also participates in CalPERS.

Part-time year-round employees may become eligible if they work over 1000 hours in a fiscal year. If an employee terminates their employment with the District prior to completing five (5) years of service, the employee is terminated from the CalPERS system and ineligible to receive benefits from CalPERS.

According to guidelines established by CalPERS, all eligible employees must participate in this program. Contributions to CalPERS will be made by the District and by the employee in accordance with the guidelines established in the contracts and resolutions of the District, as well as any applicable bargaining agreements or other local policy or manual. See the Administrative Services Department for additional details.

Except as otherwise provided in the CalPERS contract with the District or other applicable bargaining agreement or MOU, the retirement formulas are as follows:

1. For employees with a hire date before March 31, 2011, the District is contracted for a retirement formula of 2.5% @ 55 provided for by the Public Employees' Retirement Law at Government Code section 21354.4.
 - a. Effective July 1, 2015, the employee's total contribution for classic members shall be capped at 8% (PEPRA compliance).
2. For employees with a hire date after March 31, 2011 through December 31, 2012, or classic PERS members (as defined by PERS) hired by the District on or after January 1, 2013, the District is contracted for a retirement formula of 2% @ 60 provided for by the Public Employees' Retirement Law at Government Code section 21353.
 - a. Employees with a hire date after March 31, 2011, through December 31, 2012, or classic PERS members (as defined by PERS) hired by the District on or after January 1, 2013, will be responsible for paying a 7% employee contribution rate.
3. For employees with a hire date on or after January 1, 2013, who are new PERS members, as defined by PERS, the District is contracted for a retirement formula of 2% @ 62 provided for by the Public Employees' Retirement Law at Government Code section 7522.20(a).
 - a. Employees hired after January 1, 2013, who are also new PERS members (as defined by PERS) will be responsible for paying the statutorily mandated employee contribution rate of one half of the total normal cost per section code 20516.5 of the California Public Employees' Retirement Law.

D. Deferred Compensation 457 Plan

The District provides a Deferred Compensation 457 Plan for employees in order to assist in planning for their retirement. Deferred compensation is a benefit that provides the opportunity for employees to invest with their own pre-tax contributions into a retirement plan by means of a pre-tax payroll deduction. For information regarding eligibility,

contributions, benefits, and tax status, contact the Administrative Services Department. All eligible participants will receive a summary plan description.

E. Insurance Programs

The District is committed to providing eligible employees with benefits to provide assistance in the event of medical need. The District at its discretion may pay any or all insurance premiums, including but not limited to medical, dental, vision, short term disability, long term disability and life insurance coverage for eligible employees. In the event of an increase in medical insurance premium rates, employees may be required to contribute to the cost of increased premiums to retain coverage. In accordance with federal law, staff classified as seasonal and temporary employees are not eligible to participate in these insurance plans. Part-time employees may be eligible for benefits as approved by the Board of Directors.

Eligible employees who begin working for the District and submit their insurance application between the first and the 15th day of the month may have health insurance coverage begin on the first of the month following their hire date, while those who submit their application between the 16th and the last of the month may be covered beginning on the first day of the second calendar month following their hire date. After these initial enrollment dates, employees may enroll or change plans only during the open enrollment period that occurs annually.

The coverage and benefits available under the District-provided insurance plan are outlined in the insurance plan documents, any applicable bargaining agreements, and other related District[?] policies. Specific information about the plan is distributed to eligible employees at the time of hire; questions can be directed to the Administrative Services Department. The terms, conditions, coverage, and benefits of District-provided insurance may be changed at any time.

F. Unemployment Insurance

The District is self-insured for the Unemployment Insurance Fund on behalf of its employees. Claims for unemployment insurance are made [by the employee?] through the Employee Development Department. Employees do not pay into State Disability Insurance (SDI).

H. Employee and Family Discounts

In order to promote wellness for employees and their immediate family, the following discounts are offered: full-time and part-time year-round employees

Swim Passes – two (2) free twenty (20) entry swim passes are available to employee on a yearly basis.

District Employee Run Programs– 25% off.

Parking Pass – 25% off parking pass for Camarillo Grove Park.

Outdoor Rentals – 25% off one rental of a District outdoor facility once per calendar year.

I. Training Programs, Seminars, Conferences, Lectures, Meetings or Other Outside Activities

Some employees may be required by the District, and/or may wish, to attend [work-related?] training programs, seminars, conferences, lectures, meetings, or other outside activities for the benefit of the District and/or the individual employee. Attendance at such activities, whether required by the District or requested by individual employees, requires the advance written approval of the General Manager or their designee.

To obtain approval, any employee wishing to attend an activity must submit to their Supervisor a written request detailing all relevant information, including date, hours, location, cost, expenses, and the nature, purpose, and justification for attendance. Attendance at any such event is subject to the Travel policies on reimbursement and compensation.

For attendance at events required or authorized by the District, customary and reasonable expenses may be reimbursed upon submission of proper receipts by the employee. Acceptable expenses generally include registration fees, course materials, meals, transportation, and parking. Reimbursement regarding these anticipated expenses should be discussed with a Supervisor in advance.

A report of all expenses incurred, along with receipts, must be submitted within 10 days after the event/travel date on the District's "Travel and Expense Reimbursement" form available from Accounting. This form must be submitted by the employees with all receipts and records in order to properly support and account for expenses. All expenses related to the District-approved training, whether personally incurred, charged to the District, charged to a District credit card, or paid through a District check request, must be reported on this form after completion of the outside activity.

Employees may need to travel away from the District to attend activities including District-approved meetings, training programs, seminars, conferences, lectures, or other outside activities. Work-related travel expenses for such activities may include transportation, meals, lodging, registration, and any related incidental expenses (such as tips, and car rental).

J. Compensation During Travel Away From the District

Generally, time spent traveling to and from an authorized business event is considered time worked and will be compensated.

If the employee will be traveling to/from their home for the event, the location of the event is considered a temporary work location, and the employee will be reimbursed only for any mileage that is in excess of their usual commute. If the employee will be working from their usual work location before or after their trip, mileage will be reimbursed for all travel between their usual work location and the trip location.

Employee attendance at authorized outside activities will be considered hours worked and will be compensated in accordance with normal payroll practices.

For recording, and submitting reimbursement requests for, expenses incurred, please refer to the District's Travel Policy.

K. Educational Assistance Program

Regular full-time employees who have completed at least one year of employment with the District may be eligible to request education assistance. Program criteria and funding are at the discretion of the District, and subject to change.

1. To maintain eligibility for this Program, an employee must remain on the active payroll and be performing satisfactorily through completion of each course.
 2. To be eligible for consideration for this Program, the course must directly relate to the employee's current job duties, or to a position into which the employee has a reasonable expectation of being promoted while employed with the District.
 3. All courses are to be taken at a time that does not interfere with the District operations or does not interfere with the employee completing their job duties for the District. Veterans eligible for education benefits from the Federal Government or the State of California must exhaust such benefits before applying for reimbursement under this program.
1. An outline of the courses(s) must be submitted to the Department Head and written approval from the General Manager is required prior to submission of a request for reimbursement by the employee under the Program.
 2. Transcripts showing successful completion of the course (with a passing grade of a "C" where letter grades of "A" to "F" are used, or a "pass" in a "pass/fail" course) are required to be submitted to the General Manager or designee, to be eligible for the Program.
 3. Receipts for tuition and books must be submitted within thirty (30) days of successful course completion.

Employees must remain with the District for a minimum of one (1) year after the completion date of any course for which Educational Assistance Funds were received. If the employee leaves employment prior to one (1) year, they will have thirty (30) days from resignation or termination to reimburse the District for all educational financial assistance received.

The District will pay the licensing fee whenever an employee is required to obtain a certificate, license or endorsement in order to carry out their job duties for District employment. The District will reimburse one time for the costs associated with successfully obtaining the certificate, license or endorsement.

L. Americans With Disabilities Act

The District provides employment-related reasonable accommodations to qualified individuals with disabilities under the California Fair Employment and Housing Act (FEHA) and the Americans with Disabilities Act (ADA).

An applicant or employee who desires reasonable accommodation should make such a request in writing to the Administrative Services Department. The request must identify the desired accommodation. Following receipt of the request, the District will engage in the interactive process, and may require additional information, such as reasonable documentation of the existence of a disability and work-related restrictions.

The District will determine, in its sole discretion, whether reasonable accommodation(s) can be made, and the type of accommodation to provide. The District will not provide accommodation that would pose an undue hardship on the District, or that would endanger the health or safety of the employee or others. The District will inform the employee or applicant in writing of its decision as to reasonable accommodation.

ARTICLE 7 - STANDARDS OF CONDUCT

A. Punctuality and Attendance

To maintain a safe and productive work environment, the District expects all employees to be reliable and punctual in reporting for scheduled work. Absenteeism and tardiness may place a burden on other employees and on working operations, as assigned work must be performed by others in the absence of the responsible employees.

Non-exempt employees are expected to report to work as scheduled, on time, and prepared to start work. Employees are also expected to remain at work for their entire work schedule, except for meal periods or when required to leave the worksite on authorized District business. Late arrival, early departure, or other unanticipated and unapproved absences from scheduled hours are disruptive and are generally not permitted.

If unable to report for work on any particular day, an employee must call their Supervisor at least one hour before the time they are scheduled to begin work. If an employee calls in less than one hour before their scheduled start time and does not arrive in time for their assigned shift, they may be considered tardy for that day. In all cases of absence or tardiness, employees must provide their Supervisor with an honest reason or explanation for the failure timely to appear for work. Employees also must inform their Supervisor of the expected duration of any absence. Excessive absenteeism or tardiness is not tolerated.

If the employee fails to report for work without any notification to their Supervisor and their absence continues for a period of three (3) consecutive days, this may be considered abandonment of employment and a voluntary resignation by the employee.

B. Dress Code

This policy is intended to provide general guidelines on dress and appearance at work. If any employee believes they need accommodation with respect to this policy, they should contact the Administrative Services Department. Questions as to what constitutes proper business-related attire and grooming can also be discussed with the Administrative Services Department.

1. Professional Attire

Employee's work-related attire should reflect positively on the District and should instill confidence from the public in the employee's professional abilities. Because each employee is a representative of the District in the eyes of the public, each employee must report to work properly groomed and wearing appropriate clothing.

Professional Attire should be worn when meeting with other public entities and business affiliates. clothing that is acceptable and appropriate for work includes (but is not limited to):

Shirts/Blouses:	Collared shirts, or professional tops, sweaters, or blouses. Ties and suits or sport coats may be required by a supervisor.
Pants/Slacks:	Slacks and dress pants.
Dresses/Skirts:	Business dresses and skirts.
Inappropriate professional attire:	Jeans, sweats, shorts, off the shoulder or backless attire, low cut tops, strapless or spaghetti strap dresses, halter tops, tank tops, etc., are not acceptable office attire. Revealing, transparent, torn, tight, or see-through attire is not acceptable.

Clothing must be in good business taste and appropriate for job functions.

All footwear is expected to be appropriate and safe for the employee's position and work environment. Shoes are to be neat, clean, and in good repair. Flip flops are not permitted.

The District reserves the right to require that the employee change any attire that it deemed to be inappropriate, offensive, and/or distracting.

Based on the nature of job duties, the determination of what constitutes appropriate attire may differ. Department Managers may issue specific additional guidelines for their department.

2. Grooming

Employees are expected to practice good hygiene and adhere to appropriate grooming with respect to, e.g., hair, nails, makeup, body decorations, and fragrance, etc. Hair must not interfere with the employee's ability to perform

duties. Generally, hats should not be worn indoors. Beards, mustaches, and sideburns should be kept clean and neatly trimmed in a professional style. Facial hair must not interfere with the employee's ability to perform duties.

Tattoos or body piercings that are deemed inappropriate by Management must be covered.

3. Business Casual Attire

District approved logo attire includes logo shirts, sweaters, and jackets worn with appropriate casual pants, shorts, or skirts. Appropriate casual attire includes polo and regular shirts, denim wear, khakis, and corduroy pants. If employees choose not to wear logo attire on designated casual days, appropriate casual attire must be worn as listed above.

The District observes casual dress every day except when expected to meet with representatives of public entities or other business entities. Employees who are required to wear safety equipment or clothing still must do so on a casual dress day. Examples of Business Casual Attire includes (but not limited to):

- | | |
|-------------------------------------|--|
| Shirts/Blouses: | Polo collar knit, golf shirts, company logo wear, blouses, shirts, jackets or sweaters |
| Pants/Slacks: | Khakis, corduroys, jeans (in good condition), skorts and capris. |
| Inappropriate casual attire: | Sweatpants, leggings, exercise wear, shorts, low-rise or hip-hugger pants, shirts with graphics, beachwear, crop tops, spaghetti straps, "Staff" t-shirts, flip flops, athletic shoes, tennis shoes, croc-like sandals, and slippers |

3. Special Events Attire

District approved logo attire includes logo shirts, sweaters, and jackets worn with appropriate casual pants, shorts, or skirts. Appropriate special events attire includes polo shirts, denim, khakis, and corduroy pants.

Examples of Special Events Attire include (but are not limited to):

- | | |
|------------------------|---|
| Shirts/Blouses: | Polo collar knit, golf shirts, District logo wear, blouses, shirts, jackets or sweaters |
| Pants/Slacks: | Khakis, corduroys, jeans (in good condition), skorts and capris. Leggings & shorts...further define |

Inappropriate casual attire:

Sweatpants, leggings, exercise wear, shorts, low-rise or hip-hugger pants, shirts with graphics, beachwear, crop tops, spaghetti straps, “Staff” t-shirts [?], flip flops, , croc-like sandals, and slippers.

All employees required to wear uniforms provided by the District must take care of their uniforms and report any wear or damage to their Supervisors. Supervisors will inform you of additional requirements regarding acceptable attire. Certain employees may be required to wear safety equipment or clothing. Any deviations from these guidelines must be approved by your Department Head.

C. Off-Duty Conduct

While the District does not seek to interfere with the otherwise lawful off-duty conduct of its employees, certain types of off-duty conduct may interfere with the District’s legitimate business interests. For this reason, employees are expected to conduct themselves in a manner that does not adversely affect the District’s integrity, reputation or credibility. Off-duty conduct by an employee that adversely affects the District’s legitimate business interests or the employee’s ability to perform their will not be tolerated.

D. Customer Relations

Employees are expected to be polite, courteous, prompt, and attentive to every customer. Never argue with a customer. If an employee encounters any situation that they do not feel capable of handling in a professional and courteous manner, the employee should immediately request the assistance of their Supervisor.

If a problem develops or if a customer remains dissatisfied, the employee should ask an immediate Supervisor, Department Manager or the General Manager to intervene.

E. Confidentiality

Each employee is responsible for safeguarding any confidential information they obtain during employment. In the course of their work, employees may have access to sensitive or confidential information regarding the District, its suppliers, customers, or fellow employees. This includes, but is not limited to: financial data, strategic plans, employee records, proprietary information, and draft work products such as reports, presentations, or proposals in development.

Employees must not reveal or divulge any confidential information unless they are authorized to do so, and it is appropriate to do so, in connection with the performance of their assigned duties.

F. Solicitation and Distribution of Literature

In order to ensure efficient operation of the District's business and to prevent disruption to employees, we have established control of solicitations and distribution of literature on District property. The District has enacted the below rules applicable to all employees governing solicitation, distribution of written material, and entry onto the premises and work areas. If this policy is in conflict with the MOU, the MOU governs as to represented employees.

1. Employees may be allowed to use breakrooms or other designated common areas to solicit or promote support for outside organizations. Generally, material may not be posted on District bulletin boards for longer than a two-week period, and must be approved in advance by the General Manager or designee.
2. No employee shall solicit or promote support for any cause or organization during their working time or during the working time of the employee or employees at whom such activity is directed.
3. No employee shall distribute or circulate any written or printed material in work areas at any time, or during their working time or during the working time of the employee or employees to whom such activity is directed. Except for union representatives, as set forth in the applicable MOU, non-employees will not be permitted to solicit or to distribute written material for any purpose on District property.
4. No employee of the District shall solicit, either directly or indirectly, for a candidate for elective office, political funds or contributions, from any other employees of the District.

Notwithstanding the provisions of this Section, an employee is not prevented from communicating, during their non-work time and off District premises, requests for political funds or contributions to the public, which may include employees of the District. An employee also is not prevented from soliciting or receiving political funds or contributions, during their non-work time and off District premises, to promote the passage or defeat of a ballot measure which would affect the rate of pay, hours of work, retirement, civil service or other working conditions of employees of the District. The aforementioned activities are prohibited during the regular working hours of employees, and no public funds shall be used for any of the aforementioned activities at any time.

5. No employee of the District shall participate in political activities of any kind while they are in District uniform or wearing District logo wear, or during their working time.

G. Outside Business or Employment

While employed by the District, employees are expected to devote their energies to their jobs with the District. For the purposes of this section, outside employment includes an employee owned business. The following is prohibited:

- Outside employment that conflicts with an employee’s work schedule, duties, and/or responsibilities at the District.
- Outside employment that creates a conflict of interest or is incompatible with the employee's position with the District.
- Outside employment that impairs or has a detrimental effect on the employee’s work performance with the District.
- Outside employment that requires the employee to conduct outside work or related activities on District property or using District facilities and/or equipment.
- Outside employment that directly or indirectly competes with the business or the interests of the District.

Full-Time Employees who wish to engage in outside employment must submit an advance written request to the Administrative Services Manager explaining the details of the additional employment. The District will consider the request, and will deny the request if it determines the outside employment violates this policy, or is otherwise adverse to the interests of the District. Authorization to engage in additional employment, if granted, can be revoked at any time.

1. Definition:

Outside employment is defined as any work, service or other act performed by an employee for remuneration [?] other than their District duties. In addition to work for another employer, outside employment may include, but is not limited to:

- Landscaping
- Teaching
- Bookkeeping
- Painting
- Self-employment
- Sale of commercial or homemade products
- Construction

2. Procedures for Requesting Authorization for Outside Business or Employment:

All employees who wish to request authorization for any outside business or employment in addition to their employment with the District must do so on a standard

form, entitled Request for Authorization of Outside Business or Employment, prior to beginning date of business or employment.

If a request is disapproved by the Department head, the employee may request review by the General Manager, who shall make a final decision in writing to the employee within twenty (20) calendar days of receiving the employee's request for review.

Paid leave, with the exception of accrued vacation and holidays, shall not be used for outside business or employment. A leave of absence from the District employment shall not be granted for the purpose of pursuing outside business or employment.

Employees who have been approved to conduct outside employment are required, on an annual basis to resubmit the Request for Authorization of Outside Business or Employment and note on the form that the request is an annual update. An employee terminating their outside business or employment shall notify the Administrative Manager or designee in writing.

H. Conflicts of Interest

Employees are responsible for adherence to the District's Conflict of Interest Code and all applicable rules or polices and State law regarding conflicts of interest. Further, they must avoid situations involving actual or potential conflicts of interest related to their District employment. Personal involvement with a competitor, supplier, or subordinate employee of the District, which may or does impair an employee's ability to exercise good judgment on behalf of the District, creates an actual or potential conflict of interest and must be avoided. As Supervisor-subordinate personal relationships also can lead to problems of supervision, safety, or morale, as well as possible claims of harassment, these must also be avoided.

An employee involved in any of the types of relationships or situations described in this Policy should immediately and fully disclose the relevant circumstances to their Supervisor, or the Administrative Services Manager or designee, for a determination about whether a potential or actual conflict exists. If an actual or potential conflict is determined, the District may take whatever corrective action appears appropriate according to the circumstances.

3. Form 700 – Statement of Economic Interests

Every elected official and public employee who makes or influences governmental decisions is required to submit a Statement of Economic Interest, also known as the Form 700. The Form 700 provides transparency and ensures accountability in two ways:

1. It provides necessary information to the public about an official's personal financial interests to ensure that officials are making decisions in the best interest of the public and not enhancing their personal finances.
2. It serves as a reminder to the public official of potential conflicts of interest so the official can abstain from making or participating in governmental decisions that are deemed conflicts of interest.

The following classifications are required by the District to complete this form:

- Board of Directors
- General Manager
- Administrative Services Manager
- Park Services Manager
- Recreation Services Manager
- Park Supervisor
- Recreation Supervisor
- Administrative/Development Analyst

I. Acceptance of Gifts

Employees shall not directly or indirectly solicit any gift or receive any gift [of more than minimal value, whether in the form of money, services, loan, travel, entertainment, hospitality, etc., under circumstances which it could reasonably be inferred the gift was intended to influence them or could be expected to influence them in the performance of their official duties, or was intended as a reward for any official action on their part.

(a) Gifts that will be shared with office staff, such as boxes of candy, flowers and food, may be viewed as exception to this policy provided: they are of minimal value and do not exceed limits imposed by law for gifts to public employees. All financial disclosure laws and regulations must be complied with.

(b) An employee who is unsure whether any particular gift may violate this policy should immediately discuss the matter with a Supervisor or the Administrative Services Department.

J. Public Records Act, Government Code §6253

Public records are open to inspection by the public at all times during office hours and every person has a right to inspect any public record except as exempted (Government Code §6253 (a)). District guidelines can be obtained at the Administration Office.

K. Business Conduct and Ethics

Public confidence is important to any organization. For a Special District entity like the District, public confidence is vital. To warrant continued public trust, the District requires its employees to work in a manner that is above reproach, and steadfastly to adhere to the highest ethical standards and business practices, specifically including the following.

1. Conduct

Each employee should adhere to high standards of professional and personal behavior on and off the job.

2. Dishonest Acts

Committing a dishonest act, attempting to defraud the public, shoplifting, theft, or other acts that constitute a breach of trust are not permitted. Employees must not use District funds for personal use.

3. Abiding by the District policies and procedures

Employees are expected strictly to follow the District's policies and procedures, and specifically those contained in this Manual.

Employees who reasonably believe that another employee or a District official has committed a dishonest act or breached District policies in any way must report the incident to a Supervisor, Manager, or the General Manager immediately.

4. Conducting Non-District Business

Employees may not conduct personal business or business for another employer or their own business during their working hours.

5. News Media Contacts

Employees may be approached for interviews or comments by the news media, but employees should not speak with the media on the District's behalf unless they have been authorized to do so. Only staff designated or approved by the General Manager is authorized to comment on the District's behalf to news reporters on District policy or events relevant to the District.

L. Drug and Alcohol Abuse

It is the intention of this policy to help eliminate substance abuse and its effects in the workplace. Abuse of drugs and alcohol either on or off the job can take its toll on job performance and employee safety. Employees must be in a condition to perform their duties safely and efficiently, in the interests of their fellow workers and the public as well as themselves. The presence of drugs and alcohol on the job, and the influence of these substances on employees during working hours, are inconsistent with this objective of safe and efficient operations.

Furthermore, the use of prescription drugs and/or over-the-counter drugs also may affect an employee's job performance and may seriously impair them. If an employee is taking any drug or medication, whether or not prescribed by a physician, which may adversely affect their ability to perform work in a safe or productive manner, they are required to report such use to their Supervisor before commencing work. This requirement includes drugs which are known or advertised as possibly affecting, e.g.,

judgment or coordination, and includes those which may cause drowsiness or dizziness. The employee's Supervisor, in conjunction with the Administrative Services Department, will determine whether they will be allowed to remain at work, and whether any accommodation may be appropriate.

Employees who think they may have an alcohol or drug usage problem are urged voluntarily to seek confidential assistance from the District's Employee Assistance Program. While the District will be supportive of those who seek help voluntarily, the District will be equally firm in identifying and disciplining those who continue to be substance abusers and do not seek help or who continue substance abuse even while enrolled in counseling or rehabilitation programs.

This policy provides guidelines for the detection and deterrence of alcohol and drug abuse. It also outlines the shared and separate responsibilities of both District managers and employees. Employees should be aware that violations of the policy may result in discipline, up to and including termination.

1. Policy

It is District policy that employees shall not be under the influence, or in possession, of alcohol or drugs while on District property, at work locations, or while on duty or subject to being called to duty or standby. In addition, employees shall not sell or provide drugs or alcohol to any other employee while either of them is on duty or on standby duty.

While use of validly-prescribed medications and drugs in conformance with prescribed directions does not violate this policy per se, failure by an employee to notify their Supervisor, before beginning work, when taking medications or drugs which do or could interfere with the safe and effective performance of duties, or the operation of District equipment, is not permitted. In the event there is any question regarding an employee's ability safely and effectively to perform job duties while using such medications or drugs, clearance from a qualified health care provider may be required.

The District reserves the right to search, with or without employee consent, all District premises, and all property or equipment on, or brought on, District premises. Normally, the District will first notify the employee of an intended search, and will do so in the employee's presence, unless it is an emergency, or the District deems it is not practical to have the employee present.

Employees reasonably believed by trained District personnel to be under the influence of alcohol or drugs at work or in a work-related situation shall be prevented from engaging in further work and will be transported from the work site for testing.

The District has established an Employee Assistance Program (EAP) to assist those employees who seek help for alcohol or drug problems. Employees should contact their Supervisor or Administrative Services Department for additional information.

2. Application

This policy applies all substances, alcohol, drugs, or medication, whether legal or illegal, which could impair an employee's ability effectively and safely to perform the functions of the job.

For purposes of this Section, the following definitions shall apply:

“Abuse of any legal drug” means the use of any legal drug, including prescription drugs, (a) for any purpose other than the purpose for which it was prescribed or manufactured; or (b) in a quantity, frequency or manner that is contrary to the instructions or recommendations of the prescribing physician or manufacturer.

“Controlled substance” or “Drugs” denotes any substance which could potentially impair the employee’s ability to effectively and safely perform the functions of their duties, including, but not limited to: alcohol, coca leaves, cocaine, marijuana, opioids (opium and opiates or any hallucinogenic), “Speed” including amphetamines, methamphetamine, lysergic acid (L.S.D.), PCP, quaaludes, etc. As outlined below, certain prescription drugs and medications may also be classified as controlled substances.

A complete listing of controlled substances may be found in Schedules I through V of Section 202 of the Controlled Substance Act (21 U.S.C. 812), and as further defined at 21 CFR 1300.11 through 1300.15. A copy of Schedules I through V of Section 202 of the Controlled Substances Act shall be kept on file with the District and will be available for inspection by an employee on request.

“Conviction” is a finding of guilt (including a plea of no contest), an imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes.

3. Employee Responsibilities

An employee must:

1. not report to work or be subject to duty while their ability to perform job duties is impaired due to on- or off-duty alcohol or drug use; not possess or use alcohol or impairing drugs during working hours or while on standby duty, on breaks, during meal periods or at any time while on District property;
2. not directly or through a third party sell or provide drugs or alcohol to any employee while either or both employees are on duty or on standby duty. The sole exception to this is that the employee may consume alcohol at a District-sponsored event where alcohol is be served. Any such alcohol consumption must be done responsibly;
3. submit immediately to an alcohol and drug test when requested by a trained District representative who has reasonably determined the employee is under the influence, and which test is approved by the General Manager or designated representative; and
4. notify their Supervisor, before beginning work, when taking any medications

or drugs, prescription or non-prescription, which do or may interfere with the safe and effective performance of duties or operation of District equipment.

4. Management Responsibilities and Guidelines

Managers and Supervisors are responsible for reasonable enforcement of this policy.

Managers and Supervisors may request that an employee submit to a drug and/or alcohol test when a trained manager or Supervisor has a reasonable suspicion that an employee is intoxicated or under the influence of drugs or alcohol while on the job or subject to being called.

"Reasonable suspicion" is a belief based on objective facts sufficient to lead a reasonably prudent Supervisor to suspect that an employee is under the influence of drugs or alcohol.

For example, any of the following, alone or in combination, may constitute reasonable suspicion (especially when such behavior is unusual for an individual):

- Slurred speech;
- Alcoholic odor on breath;
- Unsteady walking and movement;
- Physical or verbal altercation;
- Other unusual behavior;
- Possession of alcohol or drugs.

Any Manager or Supervisor requesting an employee to submit to a drug and/or alcohol test should document in writing [to the GM and Administrative Services Department (?)] the facts constituting reasonable suspicion that the employee in question is intoxicated or under the influence.

Any Manager or Supervisor encountering an employee who refuses an order to submit to a reasonable suspicion drug and/or alcohol analysis upon request shall remind the employee of the requirements and disciplinary consequences of this policy. If the employee still refuses the test, the manager or Supervisor should direct the employee to stop working and arrange for the employee safely to be transported home.

Managers and Supervisors shall not physically search the employee, nor shall they search any personal possession of an employee without the freely given written consent of, and in the presence of, the employee.

Managers and Supervisors shall notify their Department Manager or designee when they have reasonable suspicion to believe that an employee may be in violation of this

policy. If the Department Manager or designee will then determine appropriate next steps, including notifying the appropriate law enforcement agency.

5. Physical Examination and Procedure

The drug and/or alcohol screening may test for any substance which could impair an employee's ability to effectively and safely perform the functions of the job, including, but not limited to, prescription medications, alcohol, heroin, cocaine, morphine and its derivatives, P.C.P., methadone, barbiturates, amphetamines, marijuana, and other cannabinoids.

If drug/alcohol testing is required by the District, the employee who is to be tested shall have the right to determine whether the test is by blood sample or by urinalysis. Testing required by the District shall only be conducted by a laboratory certified by the National Institute on Drug Abuse (NIDA), using gas spectrometer testing and shall include a split-sample for use if the employee challenges a positive result. The split sample and/or original sample shall be available for parallel testing by a different licensed laboratory at the District's expense. Test results and samples shall be retained for at least one (1) year. Any irregularity in the chain of custody of a sample shall serve to void the test.

6. Results of Drug and/or Alcohol Analysis

A positive result from a drug and/or alcohol analysis may result in disciplinary action to the employee testing positive, up to and including termination.

"Positive results" shall be defined, for alcohol, as having a blood-alcohol level above that limit as established under California law for the operation of a motor vehicle.

If the drug screen is positive, and there is no reasonable medical explanation for the result, in the determination of the Medical Review Officer, the employee will be subject to disciplinary action up to and including termination.

The Alcohol/Drug Abuse Report shall not be considered valid until signed by a trained Supervisor/Manager and the General Manager or designee. Any such report shall be removed from the file unless confirmation is made that the violation of this policy took place.

7. Confidentiality

Laboratory reports and test results are considered confidential medical information. Accordingly, such information is not filed in the general personnel folder maintained by the District on its employees. Information of this nature is contained in a separate confidential medical folder that is securely kept under the control of the Administrative Services Department. The reports or test results will not be disclosed, except to District management on a strictly need-to-know basis and to the tested employee upon request.

Disclosures without employee consent, may also occur when: (1) the information is compelled by law or by judicial or administrative process; (2) the information has been

placed at issue in a dispute between the employer and employee; or (3) the information is needed by medical personnel for the diagnosis or treatment of the patient who is unable to authorize disclosure.

M. Anti-Harassment and Anti-Discrimination Policy

The District is committed to providing a work environment free of unlawful harassment and discrimination. District policy prohibits all forms of harassment and unlawful discrimination in the workplace on the basis of sex (including pregnancy, childbirth, breastfeeding, or related medical condition), reproductive health decision-making, gender, gender identity or expression, race, creed, color, religion, class, physical or mental disability, national origin or ethnicity, ancestry, citizenship, age, political or union affiliation, military/veteran's status, registered domestic partner status, marital status, medical condition, sexual orientation, genetic information, or any other characteristic protected by federal, state or local law ("Protected Status").

. The District does not tolerate unlawful harassment of employees at the workplace or in any work-related situation by anyone, including co-workers, supervisors, and managers, as well as third parties with whom the employee comes into contact at work. The District also prohibits unlawful discrimination and harassment of non-employees by employees at the workplace or in a work-related situation. If, after a prompt and thorough investigation, it is determined that an employee has engaged in conduct that violates this policy, that employee will be disciplined, up to and including discharge.

1. Harassment; Discrimination

Unlawful discrimination is any action or conduct by which an employee is treated differently or less favorably than other similarly-situated workers of the basis of the employee's Protected Status.

Harassment includes all forms of offensive or unwelcome physical or verbal conduct that interferes with an employee's work or creates an offensive or hostile working environment and is based on an employee's Protected Status. Such conduct may constitute unlawful harassment when (a) submission to such conduct is made a condition of employment, either expressly or implied, (b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting that individual, or (c) such conduct has the purpose or effect or unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. It is also unlawful to discriminate or harass based on the perception that an employee associates with an individual with a Protected Status.

Prohibited unlawful harassment includes, but is not limited to, the following behavior:

- Verbal conduct such as epithets, derogatory jokes or comments, slurs or unwanted sexual advances, invitations or comments;
- Visual displays such as derogatory and/or offensive posters, photography, cartoons, drawings or gestures;

- Physical conduct including assault, unwanted touching, intentionally blocking normal movement, or otherwise interfering with the work of another;
- Threats and demands to submit to certain conduct or to engage in certain actions as a condition of continued employment, or to avoid some other loss, and or as a condition of job benefits, security, or promotion; and
- Retaliation by any of the above means for reporting harassment or discrimination, or for assisting another employee to report harassment or discrimination.

2. Sexual Harassment

Sexual harassment in the workplace or a work-related situation is NOT tolerated. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct because of sex or gender when: (a) submission to such conduct is made a condition of employment, either expressly or implied, (b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting that individual, or (c) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. Sexual harassment can occur between members of the same or opposite sex and is prohibited whether it involves a co-worker, a supervisor, or persons doing business with or for the District.

Examples of sexual harassment may include unwelcome sexual propositions or comments; unwelcome hugging, kissing, or other offensive physical contact; lewd gestures, remarks, or innuendos; unwelcome discussions of sexual practices or anatomy; and sexually offensive posters, photographs, drawings, cartoons, jokes, stories, nicknames, or comments about appearance.

3. Mandatory Training

All employees receive training in compliance with the law.

4. Reporting and Investigating Complaints of Discrimination or Harassment

Any employee who believes they have been subjected to, or witnessed, unlawfully discrimination or harassment in violation of this policy should bring the matter to the attention of the employee's supervisor or to the Administrative Services Department immediately. Reporting employees are urged to provide a full and accurate report of the underlying facts either orally or in writing. Supervisors who receive a complaint under this policy will report it to the Administrative Services Department.

Upon notification of a complaint under this policy, the Administrative Services Manager or designee shall promptly conduct or supervise a fair, timely, and thorough investigation, and will do so in a confidential manner, to the extent possible. The investigation will be performed by impartial and qualified personnel, and will be appropriately documented. Following the investigation, the District will take such action as is warranted under the circumstances, and will timely close the matter.

The employee reporting the problem, and the accused employee, will each receive an investigation closure letter from the Administrative Services Manager or designee summarizing the results of the investigation.

5. Additional Resources

Employees who are not satisfied with the District's response to their concern may file a complaints about harassment or other employment discrimination with the California Civil Rights Department (CRD), or with the federal Equal Employment Opportunity Commission (EEOC). These state and federal agencies are authorized to accept and investigate complaints of employment discrimination. If, after an investigation and hearing, either of these agencies finds that unlawful conduct has occurred, the injured employees may, depending on the circumstances, be entitled to reinstatement, back pay, damages, and other affirmative relief.

The EEOC can be reached at (800) 669-4000 or on the Internet at www.eeoc.gov, and the CRD can be reached at (800) 884-1684 or (916) 478-7200 or on the Internet at www.calcivilrights.ca.gov.

6. Retaliation

The District prohibits retaliation against any employee because of the employee's truthful and good faith opposition to a practice the employee reasonably believes to constitute employment discrimination or harassment or because of the employee's report, or participation in an investigation, under this policy.

Individuals are also protected from retaliation for filing, or assisting another employee to file, a discrimination, harassment, or retaliation complaint with the EEOC, the CRD, or court.

Employees who believe they have been retaliated against in violation of this Policy must inform the Administrative Services Department, and an investigation into the complaint shall be conducted as provided in this policy.

N. Workplace Violence

The District does not tolerate any act or behavior at the workplace or in a work-related situation which can be perceived as threatening, hostile, and/or violent. No employee shall make any threat, either physical or verbal, against a co-worker, supervisor, or member of the public at work or in a work-related situation.

Except as may be required by their job duties, no employee shall bring a weapon of any type to a District facility, including parking lots and District vehicles or equipment. Violation of this "zero tolerance" policy will lead to discipline, up to and including termination.

The sole exception to the above is that an employee, having demonstrated a legitimate need and having obtained any necessary certification, may request in writing of their Department Manager (and in consultation with the Administrative Services

Department) to bring a personal defense chemical spray to a District facility.

All employees are required to report immediately to their Supervisor and Manager any threats or incidents of violence they observe at the workplace or in a work-related situation. All reports of workplace violence will be taken seriously and will be investigated promptly and thoroughly. Supervisors and Managers The District does not tolerate retaliation against any employee who reports workplace violence or participates in any investigation under this policy.

P. Abusive Conduct and Bullying

It is the policy of the District to maintain a workplace free from any form of abusive conduct or bullying.

“Abusive conduct” is defined as workplace or work-related conduct, with malice, that a reasonable person would find hostile, offensive, and unrelated to legitimate business interests. For example, abusive conduct may take the form of, but not limited to, repeated infliction of verbal abuse (such as the use of derogatory remarks, insults, and epithets), verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, or the gratuitous sabotage or undermining of a person’s work performance. A single act generally does not constitute abusive conduct, unless especially severe or egregious.

Abusive conduct, also known as bullying, may also include, for example, the spreading of malicious rumors, or insulting someone by word or behavior, ridiculing or demeaning someone, picking on someone or setting them up to fail, exclusion or victimization, unfair or discriminatory treatment, overbearing supervision or other misuse of power or position, making threats or comments about job security without basis, etc.

If an employee believes they have been bullied because of their race, gender, religion, sexual orientation, disability, age, or any other Protected Status, they should report this concern under the District’s Anti-Harassment and Anti-Discrimination policy.

Otherwise, employees who believe they have been subjected to, or witnessed, conduct that violates this policy should report it to their supervisor or to the Administrative Services Department. Any complaints under this policy will be taken seriously and will be promptly and objectively investigated. Those determined to have violated this policy will be subjected to appropriate discipline.

The District shall provide all employees with training against abusive conduct/bullying, as required by law.

Q. Open-Door Policy / Grievance Process

Suggestions for improving the District are always welcome.

If an employee has a complaint or concern about their job, working conditions, or the treatment they are receiving, excluding any disciplinary action, the employee should take the following steps:

1. Discuss with Supervisor

In order to minimize potential misunderstandings, employees should first discuss any problem, concern, or grievance with the direct Supervisor as soon as possible after the occurrence of the problem. Supervisors will make an effort timely to investigate the matter and attempt to resolve the problem, provide an explanation or propose a remedy within one week from the complaint, if possible.

2. Appeal to Manager

If unsatisfied with the response or resolution by the Supervisor, the employee may, within ten working days of receipt of the Supervisor's response, request an appointment with their next-level manager to discuss the situation. The Manager may then schedule an interview with the employee and attempt to resolve the problem within a reasonable period of time, and will respond to the employee in writing.

3. Appeal to Administrative Services Manager

Should an employee remain unsatisfied with the response from the Manager which is satisfactory to the employee, the employee may, within ten working days of receipt of the Manager's response, request in writing to refer the matter to the Administrative Services Manager for further review. The Administrative Services Manager or designee may then schedule a meeting with the employee and will attempt to investigate and resolve the matter within a reasonable period of time. The Administrative Services Manager will respond to the employee in writing.

4. Appeal to General Manager

If an employee remains unsatisfied with the response from the Administrative Services Manager, the employee may request in writing to schedule an appointment with the General Manager for further review. The General Manager may, in their discretion, then arrange an interview with the employee and will attempt to resolve the problem. The General Manager will respond to the employee in writing. The General Manager's decision is final and conclusive for all parties.

While the District cannot be guarantee that every problem will be resolved to the employee's satisfaction, following the process described in this policy should ensure that the employee's concern is heard and addressed appropriately.

ARTICLE 8 - SEPARATION FROM SERVICE /TERMINATION

A. Separation of Employment

Below are examples of some of the most common circumstances under which

employment is terminated:

1. **Voluntary Separation/Resignation:** This is an employment termination initiated by an employee who chooses to leave the organization voluntarily. An employee who desires to separate from employment is expected to submit a written resignation giving at least two (2) weeks' notice. The District may elect to pay out the notice period.
2. **Involuntary Termination/Discharge:** This is an employment termination initiated by the District for any reason or no reason, with or without cause, and with or without advance notice.
3. **Layoff:** Involuntary employment termination initiated by the organization for reorganization, efficiency, and/or economic reasons.
4. **Retirement:** Voluntary retirement from active employment status initiated by the employee who is eligible for retirement.

The District may elect to schedule an exit interview at the time of employment termination. The exit interview, if any, may afford an opportunity to discuss such issues suggestions for improving employment conditions, complaints, or questions.

Employees will receive their final compensation, including a pay-out of accrued but unused vacation time, as soon as possible following termination. An employee who has submitted their resignation will receive his/her final check the next pay period.

All District-owned property and equipment, including vehicles, keys, cell phones, uniforms, identification badges, and credit cards, must be returned by the employee immediately upon termination of employment. Employees who fail to return such property may be liable for the cost of replacement.

B. Reductions in Workforce

The District may lay off an employee for reasons including, but not limited to, shortage of work, lack of funds, material change in duties or organization, or for other legitimate reasons. The District may also consider alternative actions in order to minimize layoffs.

In determining which employees will be subject to layoff, the District typically takes into account, among other things: business operations and requirements, and the skill, productivity, ability, seniority and past performance of those employees involved.

Notification:

1. All regular District employees to be laid off will be given written notice from Human Resources or designee of the effective layoff date no less than ten (10) working days before the effective day of the layoff. Such notice will be hand delivered or sent by certified mail.

ARTICLE 9 – EMPLOYEE DISCIPLINE

A. Discipline Of Represented Employees

Violation of the law, District policies and rules may warrant disciplinary action. The District may impose disciplinary measures. The system is not formal, and the District may, in its sole discretion, utilize whatever form of discipline is deemed appropriate under the circumstances, in any order. The District's disciplinary policy in no way limits or alters the at-will employment relationship.

Supervisors are expected to counsel, or give a warning regarding an employee's performance, conduct, attitude or for some other reason as needed. Supervisors will document all disciplinary actions and employees are allowed to submit their own written response. In certain cases, employees may be terminated without prior counseling or warnings.

The individual circumstances, nature of the offense, and the employee's prior work record may be used among other factors to determine the appropriate action to be taken. While the District attempts to notify employees when their performance or behavior is unsatisfactory, the District may elect to terminate any employee at any time depending on the nature and/or seriousness of the infraction.

Any and all steps may be used in any order, at any time, or may be skipped entirely, in the sole discretion of the District. Disciplinary actions may take one or more of the following forms in any order:

- Counseling Session
- Verbal Warning
- Written Warning
- Probation
- Demotion
- Reduction in pay
- Suspension with or without pay
- Transfer or reduction in working hours
- Withholding of wage increase
- Termination

1. Admonishment or Reprimand

Admonishment and reprimand represent the two mildest forms of disciplinary action and neither type results in the loss of pay for the employee. These actions may be oral or written and constitute only a warning to the employee that he is not satisfactorily fulfilling the duties and responsibilities of their position. If the admonishment or reprimand

is written and a copy is sent to the Administrative Services Manager, it shall become part of the employee's official personnel file. If a grievance is sustained, then the written reprimand shall be purged from the record. No record of an oral reprimand shall be placed in the employee's official personnel file unless subsequent action is necessary. The Supervisor shall, however, make note of the date, time and content of the warning. Such records shall be made with full knowledge of the affected employee, evidenced by the employee's signature and date.

2. Demotion/Reduction in Pay

The appointing authority may demote or reduce in pay any employee whose ability to perform his required duties falls below standard, or for other disciplinary purposes. Such demotion/reduction in pay may be for a specified period of time with the understanding that the employee may be reinstated to the class from which he was demoted provided that agreed upon conditions set by the appointing authority are met to the satisfaction of the appointing authority. No employee shall be demoted to a position for which he does not possess the minimum qualifications.

3. Suspension

The appointing authority may suspend a regular employee from his position at any time for cause. The appointing authority may suspend an employee not to exceed twenty (20) working days. No employee shall be penalized by suspension for more than twenty (20) working days in any twelve (12) month period for disciplinary reasons. Suspensions shall be reported immediately to the Administrative Services Manager.

4. Discharge

An employee may be discharged for cause at any time by the appointing authority. Whenever it is the intention of the appointing authority to discharge an employee, the Administrative Services Manger shall be notified. Any represented employee who has been discharged shall be entitled to pre-disciplinary procedural due process which is outlined in the MOU.

B. Discipline of Unrepresented and At-Will Employees

Violation of District policies and rules may warrant disciplinary action. The District may, in its sole discretion, utilize whatever form of discipline is deemed appropriate under the circumstances, without following any prescribed order or preliminary disciplinary steps. The District may determine that termination is appropriate in the first instance. The District's disciplinary policy in no way limits or alters the at-will employment relationship where the employee may be terminated at any time with or without cause, and the termination decision is not subject to grievance or appeal.

Any and all possible disciplinary steps, such as those listed below, may be imposed in any order, at any time, or may be skipped entirely, in the sole discretion of the District.

- Counseling Session
- Oral Warning [and/or documented Oral Warning?]
- Written Warning
- Probation
- Demotion
- Reduction in pay
- Suspension without pay
- Transfer or reduction in working hours
- Withholding of wage increase
- Termination

C. Examples of Prohibited Conduct

The following conduct is prohibited and will not be tolerated by the District. This list of prohibited conduct is illustrative only; other types of conduct that threaten, e.g., security, personal safety, employee welfare, and District operations also may be prohibited.

1. Falsifying [or omitting significant information on (?)] employment records, employment information, or other District records;
2. Recording the work time of another employee or allowing any other employee to record one's own work time, or falsifying any timecard;
3. Theft, or damage or destruction, of any District property, or the property of another;
4. Removing or borrowing District property without prior authorization;
5. Unauthorized use of District equipment, time, materials, or facilities;
6. Violence, threats, fighting, horseplay, or practical jokes during working hours or on District property;
7. Violating any District rule, procedure, or policy, specifically including but not limited to the policies prohibiting unlawful harassment, violence, and bullying.;

8. Insubordination, including but not limited to failure or refusal to obey the orders or instructions of a Supervisor or Manager, or the use of abusive or threatening language toward a Supervisor or Manager;
9. Excessive or unauthorized absence or tardiness;
10. Sleeping or malingering on the job;
11. Engaging in personal activities, including making or accepting personal telephone calls, during working hours, except in cases of emergency;
12. Committing a fraudulent act or a breach of trust;
13. Engaging in any other acts which are incompatible with or inimical to the public service.

Any other conduct unbecoming to the District or contrary to District goals and policies may also subject the employee to discipline, up to and including termination, in the sole discretion of the District.

ARTICLE 10 - HEALTH AND SAFETY

A. Safety Policy

It is the policy of the District that accident prevention shall be of high importance in all phases of operation and administration. It is the intention of the District to provide safe and healthful working conditions. It is therefore the duty of each employee to understand, accept, and follow established safety regulations and procedures, and the duty of each Supervisor to oversee workplace safety.

Employees are expected to assist management in accident prevention activities. Employees must immediately report any unsafe conditions or other workplace hazards to their Supervisor. All employees are responsible for the housekeeping duties that pertain to their jobs. Any injury that occurs on the job must be reported by the injured or observing employees to management as soon as possible. In no circumstance, except an emergency, should an employee leave a shift without reporting an injury that has occurred.

B. Safety Training

All new employees will be provided a safety orientation during their initial assignment to the job. The orientation will be conducted by a Safety Committee representative, Manager, or Supervisor. It will cover the District safety rules and safe practices required for their job assignment as well as the Injury and Illness Prevention Program. In addition, employees, including those given a new job assignment, will be provided safety training regarding any potential new hazards.

To ensure that all employees receive appropriate training, all District employees will participate in:

Scheduled safety meetings

Additional training as job duties or work assignments are expanded or changed.

Other training programs as appropriate.

Further training will be provided whenever employees are exposed to new processes, machinery, equipment, chemicals and/or previously unrecognized potential hazards.

C. Heat Illness

The District is concerned with employee health and safety. Employees working outside may be exposed to extreme temperatures or adverse working conditions, particularly in the summer months. All Supervisors are trained in the prevention of heat illness. Refer to the District's *Injury Illness and Prevention Program* or talk to a Supervisor for details on how to ensure protection from heat illness dangers.

D. Security

The District has developed guidelines to help maintain a secure workplace. Employees should be aware of any persons loitering for no apparent reason in District parking areas, walkways, entrances and exits, and service areas. Any suspicious persons or activities should be reported to Management personnel. The security of facilities as well as the welfare of employees depends upon the alertness and sensitivity of every individual to potential security risks. A Supervisor should be notified immediately when keys, security passes, or identification badges are missing.

Employees should secure their desk and office space at the end of the day. If called away from the work area, employees should not leave valuable, confidential, and/or personal articles in or around workstations that may be accessible.

The District's workplace security [and violence?] program is described in detail in the District's *Illness and Injury Prevention Program (IIPP)*.

E. Recreational Activities and Programs

The District is not liable for payment of workers' compensation benefits for any injury that arises out of an employee's voluntary participation in any off-duty recreational, social, or athletic activity that is not part of the employee's work-related duties.

F. Inclement Weather/Natural Disasters

In the event of severe weather or a natural disaster that prevents employees from

safely traveling to and from work, the following will apply:

1. Inclement Weather or Unsafe Road Conditions

Conditions that may make it impossible or unsafe for employees to travel to work include flooding, heavy rainstorms, hail, road closure and power outages. If weather conditions prevent an employee from safely traveling to work, they must notify their immediate Supervisor by phone, if telephone service is functional, or by any other available means.

2. Natural Disasters

In the event of a natural disaster such as earthquake, fire, or explosion, the District office may be closed if the building is damaged or highways leading to the office are damaged. For information about possible office closures and/or instructions on reporting to another location, contact a Supervisor immediately, if possible.

G. Ergonomics

The District is subject to Cal/OSHA ergonomics standards for minimizing workplace repetitive motion injuries. The District will make necessary adjustments to reduce exposure to ergonomic hazards through modifications to equipment and processes and employee training. The District encourages safe and proper work procedures and requires all employees to follow safety instructions and guidelines.

The District believes that reduction of ergonomic risk is instrumental in maintaining an environment of safety and well-being and is essential to our business. We intend to provide appropriate resources to create a risk-free environment.

For questions about ergonomics, contact the Administrative Services Manager.

H. Employees Who Are Required to Drive on the Job

The following Policy is established for the use of District–owned vehicles and of private vehicles in the conduct of official business of the District.

The District is not responsible for any parking tickets, equipment violation citations or moving violations, and may not be liable for any damages, incurred while operating a vehicle on District business.

Those who are required to drive a District vehicle or their own vehicles on District business will be required to provide proof of a current valid driver's license and current effective insurance coverage before the first day of employment, or before they are permitted to drive for the District.

The District participates in a system that regularly checks state Department of Motor Vehicles (DMV) records of all employees who drive as part of their job.

1. District Vehicles

The use of District vehicles for other than official purposes shall be prohibited.

Only authorized employees over 18 years of age are permitted to drive for the District.

No person shall operate any vehicles owned and maintained by the District unless such person is an employee of the District and has a valid operator's license issued by the California Department of Motor Vehicles. Any person operating a vehicle owned and maintained by the District is responsible for observing all rules and regulations as prescribed for the safe operations, maintenance and security of such vehicle.

No person shall be a passenger in any vehicle owned or maintained by the District unless at least one of the following conditions is met:

Such person is an employee of the District

Such person has a business relationship with the District, and transportation in the District vehicle is necessary

Such person is a family member of an employee of the District and the transportation of such person is necessary for them to attend a District business meeting or District event for which such person is volunteering or an invited guest.

2. Private Vehicle Use

Employees who drive their own vehicles on approved District business will be reimbursed for reasonable mileage upon submission of a District Mileage Report to Accounting.

Reports should be submitted monthly by the employee, listing beginning and ending mileage for each work-related trip, as well as stating the purpose of the trip. Approved mileage will be reimbursed at the rate designated by the Internal Revenue Service.

I. Use of Cell Phone While Driving

In the interest of the safety of our employees and the public, District employees who are driving for work, and who need to use a cell phone or similar device, are required to stop the vehicle in a safe location before such use unless they are operating a hands'-free system.

Employees must adhere to all federal, state or local rules and regulations regarding restrictions on the use of cell phones while driving.

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**ACKNOWLEDGEMENT OF RECEIPT OF THE PLEASANT VALLEY RECREATION
and PARK DISTRICT PERSONNEL POLICY MANUAL**

I have received my copy of the Pleasant Valley Recreation and Park District's Personnel Policy Manual. I understand and agree that it is my responsibility to read and familiarize myself with, and to comply with, the policies and procedures contained in the Manual, which I understand govern my employment. If I have any questions about any policies, I will ask my supervisor or an Administrative Services Department representative.

I understand that, except for the concept of employment at-will, any and all policies or practices can be changed, deleted, or added to, at any time by the District. I understand that I will be notified of any substantive such changes. I understand and agree that other than the General Manager of Pleasant Valley Recreation and Park District, no Manager, Supervisor, or representative of the District has authority to enter into any agreement, express or implied, for employment for any specific period of time, or to make any agreement for employment other than at-will.

I understand and agree that nothing in the Personnel Policy Manual creates or is intended to create a promise or representation of continued employment and that employment at the District is employment at-will, that is: employment may be terminated at the will of either the District or me for any reason or no reason, with or without cause, and with or without advance notice. My signature certifies that I understand that the foregoing agreement on at-will status is the sole and entire agreement between the District and me concerning the duration of my employment and it supersedes all prior agreements, understandings, and representations concerning my employment with the District.

If I am a represented employee, I understand the Memoranda of Understanding between SEIU Local 721, and the Pleasant Valley Recreation & Park District supersedes any contradictory language that may be contained in the Personnel Policy Manual/Personnel Policies and Procedures.

Employee Signature

Date

Employee Name (Please Print)

The information in this handbook supersedes all previously issued publications, documents or memoranda that would be in conflict with the provisions set forth herein.