



HIDDEN VALLEY LAKE COMMUNITY SERVICES DISTRICT

Personnel Committee Meeting

DATE: December 13, 2019

TIME: 11:00 AM

PLACE: Hidden Valley Lake CSD
Administration Office, Boardroom
19400 Hartmann Road
Hidden Valley Lake, CA

- 1) CALL TO ORDER
- 2) PLEDGE OF ALLEGIANCE
- 3) ROLL CALL
- 4) APPROVAL OF AGENDA
- 5) DISCUSS AND RECOMMEND: Discuss Field Staffing options
- 6) DISCUSS AND RECOMMEND: Sr Accounts Representative (Karen Retiring)
- 7) DISCUSS AND REVIEW: Employee Handbook where do we stand and what are the next steps
- 8) PUBLIC COMMENT
- 9) COMMITTEE MEMBER COMMENT
- 10) ITEMS FOR NEXT AGENDA
- 11) ADJOURNMENT

Public records are available upon request. Board packets are posted on our website at www.hvllcsd.org.

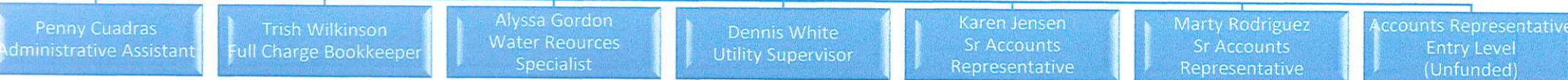
In compliance with the Americans with Disabilities Act, if you need special accommodations to participate in or attend the meeting, please contact the District Office at 707-987-9201 at least 48 hours prior to the scheduled meeting.

Public shall be given the opportunity to comment on each agenda item before the Governing Board acts on that item, G.C. 54953.3. All other comments will be taken under Public Comment.

2019 ORGANIZATIONAL CHART

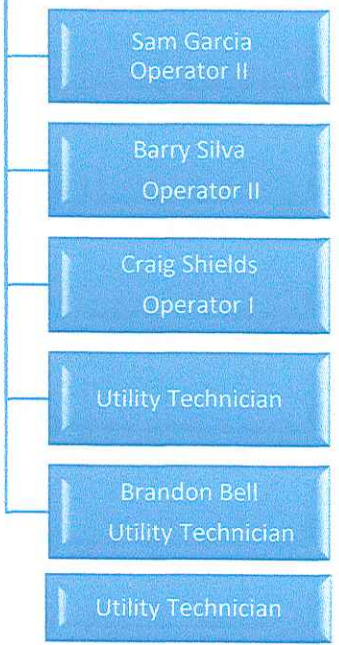
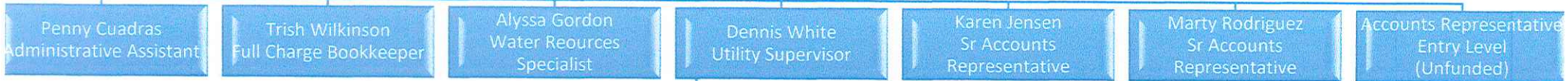
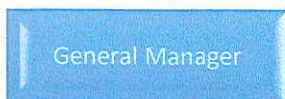


*Dec 11 Wed
Personel Comm
Carolyn
Lieberman
Penny*



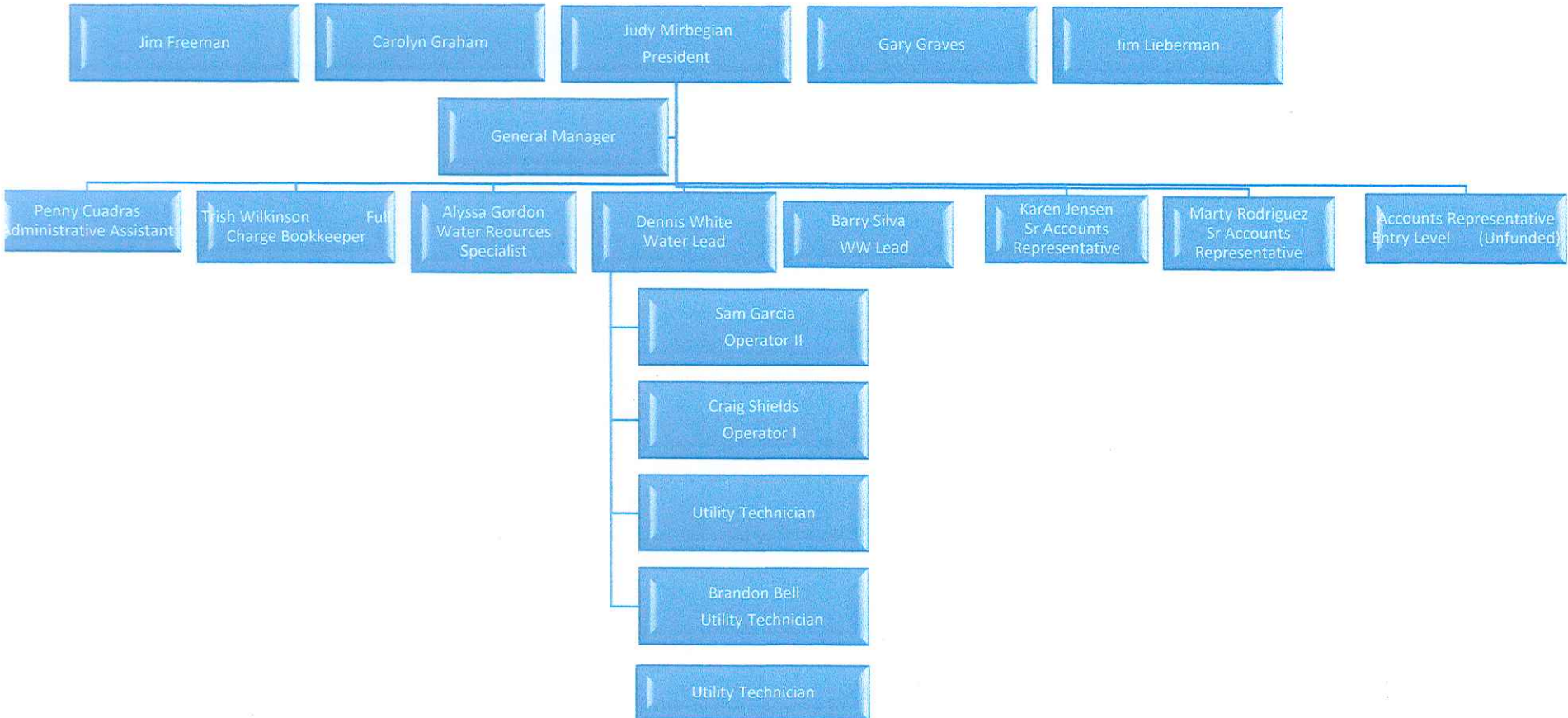
Current

2019 ORGANIZATIONAL CHART



DW NOW 1072

2019 ORGANIZATIONAL CHART



bw Goal 2 of 2

2019 ORGANIZATIONAL CHART



Jim Freeman

Carolyn Graham

Linda Herndon
President

Judy Mirbegian
Vice President

Jim Lieberman

General Manager

Penny Cuadras
Administrative Assistant

Trish Wilkinson
Full Charge Bookkeeper

Alyssa Gordon
Water Resources
Specialist

Dennis White
Utility Supervisor

Karen Jensen Sr
Accounts
Representative

Marty Rodriguez
Sr Accounts
Representative

Cody Lockwood
Accounts Representative
Entry Level

Sam Garcia
Operator II

Barry Silva
Operator II

Operator II
(Unfunded)

Craig Shields
Operator I

Harley Sells
Utility Worker

Brandon Bell
Utility Technician



Hidden Valley Lake Community Services District

WASTEWATER LEAD OPERATOR JOB DESCRIPTION

Reports to: General Manager	Hourly Salary Range				
Status: Exempt	Step A	Step B	Step C	Step D	Step E
Effective Date:	\$31.67	\$33.25	\$34.92	\$36.66	\$38.50

Definition/Summary

Responsible for the operation and maintenance of the District’s wastewater collection, treatment, and reclamation systems. Schedules maintenance and direct activities of field staff; performs a variety of technical and administrative support functions including; State reporting requirements, site inspections, and verification of code compliance.

Essential Functions

- Supervise, train, direct, plan, schedule, and assign the work of field personnel.
- Coordinate and set priorities for operation and maintenance of wastewater system; establish standard operating procedures to provide high quality wastewater treatment services.
- Maintain records; prepare State and County water quality reports.
- Facilitate effective communication between field operations staff and management; facilitate communication among field staff members.
- Ensure a safe work environment; coordinate training in safe work techniques and policies; investigate and complete incident reports and near-misses.
- Determine and recommend equipment, materials, staffing, and safety devices/equipment for wastewater projects.
- Inspect and evaluate work in progress and work completed.
- Resolve complaints from the public regarding maintenance work, projects, and/or staff activities.
- Enforce District personnel policies and procedures.
- Assist in planning and design of system modifications.
- Maintain inventory of parts and supplies.
- Recommend and justify capital purchases; assist with the review of Capital Improvement projects; gather and prepare cost estimates and scope of work for contractors and vendors for the maintenance, repair and upgrade of District facilities; serve as contact with contractors and consultants.
- Assist with budget preparation and monitoring.
- Monitor and evaluate work performed by contractors.

- Conduct field operations staff meetings and participate in management meetings.
- Supervise development and implementation of other procedures and programs (e.g. safety, maintenance schedule, emergency response, process control, purchasing, training, SCADA system, and inventory control).
- Oversee the maintenance of District vehicles and equipment.
- Administer District On-Call Program in cooperation with the Water Lead Operator.
- Respond to District after-hour emergencies and participate in the on-call rotation.
- Prepare a monthly field operations report to the Board of Directors.

Other Duties

Perform other related duties as required.

Job Standards/Specifications

Knowledge of:

- Principles of supervision, training and performance evaluation; district policies, rules, regulations, procedures.
- Public relations courtesies and effective customer service.
- Pertinent Federal, State and local laws, codes and regulations regarding wastewater treatment.
- Occupational hazards and standby safety precautions necessary in work.
- Principles and practices of budget development and monitoring.
- Materials, methods, practices and equipment used in maintenance of wastewater system electrical and electronic equipment, pumps, and valves.

Ability to:

Perform a variety of skilled maintenance, repair, and operations work related to the collection and treatment of wastewater, the treatment and distribution of water; ability to define problems, collect data, establish facts, and draw valid conclusions; take water and wastewater samples; perform basic laboratory tests; maintain written logs and records; train staff; establish and maintain cooperative working relationships; formulate and communicate instructions; read and write the English language; follow written and oral instructions. Must be able to respond to after-hours emergencies within 30 minutes.

Typical Physical Activities

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of the Lead Wastewater Operator position.

While performing the duties of this job, the employee is regularly required to talk speak and hear. The employee is frequently required to stand, walk, sit, use hands to finger, handle, or

feel objects, tools, or controls; reach with hands and arms, climb or balance, stoop, kneel, crouch, or crawl. The employee is occasionally required to taste and/or smell.

The employee must frequently lift and/or move up to 50 pounds. The position requires the use of close vision, distance vision, color vision, peripheral vision, depth perception, and the ability to adjust focus.

Environmental Factors

The work environment characteristics described here are representative of those an employee may encounter while performing the essential functions of this position. Reasonable accommodations may be made to enable individuals with disabilities to perform essential functions.

While performing the duties of this job, the employee frequently works in outside weather conditions and is frequently exposed hot, cold, and wet conditions. The employee occasionally works near moving mechanical parts, in high and/or precarious places, and is occasionally exposed to extreme cold, extreme heat, vibration, and risk of electrical shock.

This position is normally exposed to moderate noise levels; infrequently, the employee may be exposed to excessive noise.

Desirable Qualifications

College level course work in industrial technology, management, and wastewater system design is desired.

License Certificate Registration Requirement(s)

A high school diploma or equivalent is required. Computer literacy, including word processing and spreadsheet/database software. Knowledge of water/wastewater operation, preventative maintenance and safe work practices. Five (5) years' experience as an Operator II for HVLCSD or comparable position. A class "B" California driver's license is required, as well as the following California Department of Public Health or State Water Resources Control Board certifications: Water Treatment Grade I, Water Distribution Grade I, Wastewater Grade III. Must maintain all certifications.

I have reviewed this Job Description with my Supervisor and agree with its contents.

Employee Signature

Date

Employer Signature

Date



Hidden Valley Lake Community Services District

WATER LEAD OPERATOR JOB DESCRIPTION

Reports to: General Manager	Hourly Salary Range				
Status: Exempt	Step A	Step B	Step C	Step D	Step E
Effective Date:	\$31.67	\$33.25	\$34.92	\$36.66	\$38.50

Definition/Summary

Supervises and oversees the operations, maintenance and day-to-day activities of the District's water production, transmission, and storage facilities; responsible for the operation and maintenance of the District's water treatment facility, distribution system, and water quality; schedules maintenance and direct activities of field staff; performs a variety of technical and administrative support functions including: mandated reports, site inspections, and verification of code compliance.

Essential Functions

- Supervise, train, direct, plan, schedule, and assign the work of field personnel.
- Coordinate and set priorities for operation and maintenance of water system; establish standard operating procedures to provide water of high quality and adequate quantity and pressure.
- Maintain records; prepare State and County water quality reports.
- Facilitate effective communication between field operations staff and management; facilitate communication among field staff members.
- Ensure a safe work environment; coordinate training in safe work techniques and policies; investigate and complete incident reports and near-misses.
- Determine and recommend equipment, materials, staffing, and safety devices/equipment for water projects.
- Inspect and evaluate work in progress and work completed.
- Resolve complaints from the public regarding maintenance work, projects, and/or staff activities.
- Enforce District personnel policies and procedures.
- Assist in planning and design of system modifications.
- Maintain inventory of parts and supplies.
- Recommend and justify capital purchases; assist with the review of Capital Improvement projects; gather and prepare cost estimates and scope of work for contractors and vendors for the maintenance, repair and upgrade of District facilities; serve as contact with contractors and consultants.
- Assist with budget preparation and monitoring.
- Monitor and evaluate work performed by contractors.

- Conduct field operations staff meetings and participate in management meetings.
- Supervise development and implementation of other procedures and programs (e.g. safety, maintenance schedule, emergency response, process control, purchasing, training, SCADA system, and inventory control).
- Oversee the maintenance of District vehicles and equipment.
- Administer District On-Call Program in cooperation with the Wastewater Lead Operator.
- Respond to District after-hour emergencies and participate in the on-call rotation.
- Prepare a monthly field operations report to the Board of Directors.

Other Duties

Perform other related duties as required.

Job Standards/Specifications

Knowledge of:

- Principles of supervision, training and performance evaluation. District policies, rules, regulations, procedures.
- Common public relations courtesies and effective customer service.
- Pertinent Federal, State and local laws, codes and regulations regarding water quality.
- Occupational hazards and standby safety precautions necessary in work.
- Principles and practices of budget development and monitoring.
- Materials, methods, practices and equipment used in maintenance of electrical and electronic equipment, pumps, and valves.

Ability to:

Perform a variety of skilled maintenance, repair, and operations work related to the treatment and distribution of water and the collection and treatment of wastewater; ability to define problems, collect data, establish facts and draw valid conclusions; take water and wastewater samples; perform basic laboratory tests; maintain written logs and records; train staff; establish and maintain cooperative working relationships; formulate and communicate instructions; read and write the English language; follow written and oral instructions. Must be able to respond to after-hours emergencies within 30 minutes.

Typical Physical Activities

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of the Lead Water Operator position.

While performing the duties of this job, the employee is regularly required to talk, speak, and hear. The employee is frequently required to stand, walk, sit, and use hands to finger, handle, or feel objects, tools, or controls; reach with hands and arms, climb or balance, stoop, kneel, crouch, or crawl. The employee is occasionally required to taste and/or smell.

The employee must frequently lift and/or move up to 50 pounds. The position requires the use of close vision, distance vision, color vision, peripheral vision, depth perception, and the ability to adjust focus.

Environmental Factors

The work environment characteristics described here are representative of those an employee may encounter while performing the essential functions of this position. Reasonable accommodations may be made to enable individuals with disabilities to perform essential functions.

While performing the duties of this job, the employee frequently works in outside weather conditions and is frequently exposed hot, cold, and wet conditions. The employee occasionally works near moving mechanical parts, in high and/or precarious places, and is occasionally exposed to extreme cold, extreme heat, vibration, and risk of electrical shock.

This position is normally exposed to moderate noise levels; infrequently, the employee may be exposed to excessive noise.

Desirable Qualifications

College level course work in industrial technology, management, and water system design is desired.

License Certificate Registration Requirement(s)

A high school diploma or equivalent is required. Computer literacy, including word processing and spreadsheet/database software. Knowledge of water/wastewater operation, preventative maintenance, and safe work practices. Five (5) years' experience as an Operator II for HVLCSO or comparable position. A class "A" California driver's license and Cross Connection Certification is required, as well as the following California Department of Public Health or State Water Resources Control Board certifications: Water Treatment Grade II, Distribution Grade III, Wastewater Grade I. Must maintain all certifications.

I have reviewed this Job Description with my Supervisor and agree with its contents.

Employee Signature

Date

Employer Signature

Date

HIDDEN VALLEY LAKE COMMUNITY SERVICES DISTRICT

2019/2020 EMPLOYEE HANDBOOK

Approved by the Board of Directors (Insert date)

The Hidden Valley Lake Community Services District (HVLCS D; District) is an Independent California Special District formed in 1984 by a majority vote of the registered voters of the District. HVLCS D provides water, wastewater and reclaimed water services to the Hidden Valley Lake Community.

The mission of Hidden Valley Lake Community Services District is:

“To provide, maintain and protect our Community’s water.”

INTRODUCTION

Welcome! As an employee of the Hidden Valley Lake Community Services District (HVLCSO), you are an important member of a team effort. We hope that you will find your position with HVLCSO rewarding, challenging, and productive. This employee handbook is intended to provide you a summary of information regarding our operational policies and procedures, what you can expect from us and our overall expectations related to your job performance.

Your understanding of this handbook is important. We expect you to read and comply with the handbook, and we encourage you to discuss with your supervisor any suggestions or questions you may have regarding the information in this handbook, your job responsibilities and/or ways to improve services for our rate-payers. We believe that our success is the direct result of a dedicated team of water and wastewater professionals working together toward a common goal and purpose. We continue to build on that success through an unwavering commitment to ethics, diversity, leadership, employee safety and environmental responsibility.

Linda Herndon, President
Board of Directors

Judy Mirbegan, Vice President,
Board of Directors

Jim Freeman, Director

Carolyn Graham, Director

Jim Lieberman, Director

Kirk Cloyd, General Manager

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HIDDEN VALLEY LAKE CSD EMPLOYEE HANDBOOK

SECTION 1

1.1 Authority

The following Policies and Procedures are promulgated under the authority of the Hidden Valley Lake Community Services District. This Employee Handbook is adopted and amended by resolution of the Board of Directors.

1.2 Purpose and Application

The purpose of this handbook is to create a formal understanding of current employee policies and operating procedures of the Hidden Valley Lake Community Services District as approved by the Board of Directors. These policies and procedures apply to all offices, positions and employments in the District except for those employees under specific employment contract. In the event of a disparity between these policies and contract terms, contract terms will prevail.

1.3 EEOC Statement

Hidden Valley Lake Community Services District (HVLCSO) is an equal opportunity employer and makes employment decisions based on merit, and without regard to any legally protected characteristic, such as race, color, creed, age, gender, gender identity, gender expression, sex, sexual orientation, national origin or ancestry, citizenship, religion, marital status, registered domestic partner status, military or veteran status, pregnancy or related medical condition, physical or mental disability, medical condition, including genetic characteristics, genetic information, or any other consideration made unlawful by applicable federal, state, or local laws.

SECTION 2

2.1 Definitions

For the purposes of this Handbook, words and phrases are defined as follows:

Anniversary Date is the annual anniversary date of most recent employment appointment to a full-time or part-time regular position (used to determine PTO and/or other benefits).

Appointing Authority is the General Manager

Appointment is the appointment of a person to a position within the District.

Original Appointment is the first appointment to District employment – date of hire.

Provisional Appointment is the temporary (no more than 6 months) appointment to a vacant position to satisfy emergency or interim conditions.

Probationary Appointment is the probationary employment of a person to a regular position. A probationary appointment is for a specified period during which job performance is evaluated as the basis for consideration for regular appointment.

Regular Appointment is the employment of a person to a regular position following the successful completion of a probationary period.

CalPERS is The California Public Employees Retirement System.

Continuous Service (aka "Continuous Employment") is the uninterrupted payroll status of an employee. (Exception: Authorized Leave of Absence is not considered a break in service even though the employee might not be in payroll status; however, any such period of absence that is unpaid would not count toward eligibility for increased PTO and/or other benefits.)

Discharge is the involuntary separation from District employment.

Employee is a person occupying a position with the District.

At Will Employee is an employee who can be separated from District employment with or without cause or reason, and with or without advance notice.

Provisional Employee is an employee who has been appointed by the General Manager to a vacant position for a period fewer than six months pending the completion of the regular selection process.

Temporary Employee is an employee in a position of limited duration.

Probationary Employee is an employee who holds a probationary appointment.

Regular Employee is an employee who has successfully completed the probationary period.

Part-Time Employee is an employee who is regularly scheduled to work fewer than 40 hours per work week.

Full Time Employee is an employee who is regularly scheduled to work on a full-time basis, that is, 40 hours per work week.

Exempt Employee is an employee who is exempt from overtime pay according to applicable federal and state law.

Non-Exempt Employee is an employee who is eligible for overtime pay according to applicable federal and state law.

Layoff is the suspension or termination of employment for business reasons such as a reorganization, reduction in workforce or reduced budget. Layoff is not to be confused with termination for cause.

Leave is authorized absence from work.

Overtime is time worked in excess of 40 hours per workweek.

Personnel Action is any action taken regarding appointment, compensation, promotion, transfer, layoff, dismissal, discipline, commendation or any other action affecting the status of employment.

Position is a set of duties and responsibilities which require the services of an employee. The **Position Description (aka Job Description)** is the document which lists these duties and responsibilities.

Probationary Period is a trial period during which an employee must demonstrate ability to carry out the duties and responsibilities of a position.

Promotion is the advancement of an employee to a higher step in the current salary range or higher salary range in another position.

Reassignment is the lateral move of an employee from one position to another.

Salary Range describes the minimum, maximum and intermediate rates of pay for a specific position approved by the Board of Directors.

Separation is the termination of District employment due to retirement, resignation, death or dismissal.

Supervisor is the designated employee with responsibility of organizing, directing and evaluating the work of other employees.

Suspension is the temporary, involuntary and unpaid separation of an employee for a specified period for disciplinary purposes.

Time Card (aka Time Sheet or Electronic Time Sheet) is the document verifying an employee's actual work and leave hours in a payroll or work period.

Total Compensation is the benefit package granted the individual employee in their current position to include all hourly or salary pay, medical, dental and life insurance benefits and stipends should the employee be eligible.

Transfer is an employee move from one position to another.

Vacancy is an unoccupied budgeted position which has been authorized by the Board of Directors.

SECTION 3 – POSITIONS & ORGANIZATION

3.1 Organization Plan

It is the responsibility of the General Manager to identify the positions and structure necessary to enable the District to accomplish its mission. This organizational plan is effective upon approval of the Board of Directors.

3.2 Organization Plan Review and Amendment

The General Manager reviews and updates Job Descriptions and Organizational plan periodically. Amendments to the plan are made on the recommendation of the General Manager by approval of the Board of Directors.

3.3 Job Duties & Job Descriptions

HVLCSD maintains job descriptions for each position in the organization. Such job descriptions contain a general summary of the job duties, minimum and desired qualifications and background, essential job functions, and physical/environmental factors associated with performance of the job. Job descriptions are used for purposes including: employment advertising, pay rate assignment, selection testing including pre-employment medical assessments, work related injury assessments, and performance evaluations.

An employee's job responsibilities may change at any time during employment. From time to time, an employee may be asked to work on special projects or to assist with other work if necessary or important to the operation of the department or the District. An employee's cooperation and assistance in performing such additional work is expected (even if the exact duty/function is not specifically listed in the job description). Additionally, work hours and/or schedules may be subject to change at any time during employment. Employees are expected to cooperate and to work a different schedule as requested.

3.4 Job Responsibilities

Employees of HVLCSD may expect that:

- They will be fully informed of their duties and responsibilities;
- They will be provided with adequate administrative and supervisory direction;
- Their work performance will be regularly appraised, and they will be encouraged and helped to improve their level of performance;
- Their eligibility for promotion will be dependent on demonstrated ability, merit and availability of positions;
- Mediocrity and incompetence will not be tolerated.

HVLCSD expects that its employees will:

- Perform the duties and responsibilities contained in their job description;
- Be courteous and professional;
- Provide dependable and effective performance;
- Effectively contribute to HVLCSD's mission and purpose;
- Respect proper protocol and the normal chain of command;
- Display proper conduct for the position; and
- Not abuse the rights, privileges, and benefits provided by the employment with HVLCSD
- Maintain regular and predictable attendance;
- Comply with all policies in this Handbook.

3.5 Current Job Descriptions and Organization Chart

Copies of the current Organization Chart and position descriptions with salary ranges are available on the District Website: www.hvncsd.org.

3.6 Other Position Categories – Permanent Part-Time, Temporary and Probationary Positions

Field Code Changed

Permanent Part-Time Permanent Positions. Permanent Part-Time positions are limited to fewer than 32 working hours per week but at least 1000 hours per year. Permanent Part-time positions offer no benefits except CalPERS Retirement benefits for working a minimum of 1000 hours per year per the District CalPERS contract provisions, and otherwise as required by law.

3.6.1 Temporary Positions. Temporary positions at the District will be filled through an outside professional services agency contracted by the General Manager for a maximum of one year.

3.6.2 Probationary Employment A mandatory 12-month probationary period for each newly-hired and newly-promoted employee shall be regarded as a part of the testing process and shall be utilized for closely observing the employee's work and for securing the most effective adjustment of the employee to the new regular position.

All original and promotional appointments shall be subject to a probationary period of 12 months of actual probationary service. Within the guidelines of the Performance Management Program the employee's performance will be evaluated by the supervisor. Should the performance evaluation reflect satisfactory completion of the probationary period, Personnel Action will be taken to move the employee to Regular Appointment.

Upon recommendation by the immediate Supervisor and with the approval of the General Manager, Probationary Employment may be extended for a maximum of an additional six (6) months (for a total of eighteen (18) month probationary period). If deemed appropriate, this extension may be granted, e.g., to permit the probationary employee time to obtain the required certification for the position of hire.

SECTION 4 – RECRUITMENT & SELECTION

Section 4.1 - Purpose

The purpose of the recruitment and selection process is to ensure that all position vacancies are filled with qualified and competent persons who are well-suited to perform the duties of the position for which they are employed.

Section 4.2 – Recruitment

The General Manager or designee shall establish and oversee selection procedures which shall ensure the employment of the best qualified applicants, including consideration of such factors as job-related education, experience, skills and knowledge.

Section 4.3 - SELECTION AND APPOINTMENT – New Hires, Promotions, Rehires. This process will apply to all staff positions except the General Manager who shall be hired by the Board of Directors.

Hiring decisions, job assignments, promotions, pay increases, and similar decisions are solely within the discretion of the General Manager.

New Hires

The General Manager may, at his or her discretion, formally announce and post job openings to solicit candidates. Candidates who wish to be considered for posted jobs should submit a written request to that

effect to the General Manager or her/his designee. All candidates applying for any posted position must meet at least the minimum qualifications of the position description. Where positions are posted, all interested candidates are encouraged to apply. In the selection process, the General Manager may consider a number of factors, including (but not limited to) the candidate's applicable skills, knowledge and education, overall fit for the position, and other factors deemed relevant by the General Manager. The General Manager, along with the hiring manager, will review each proposed selection decision before a final determination is made with respect to the position. The General Manager must give final approval before any new hire may be made.

Promotions

Alternatively, the General Manager may, in his or her discretion, opt not to post or publicly announce an open position. The General Manager may instead consider qualified internal candidates and may promote an existing employee without first conducting a formal recruitment. In the internal selection process, the General Manager may consider a number of factors, including (but not limited to) the employee's applicable skills, knowledge and education, overall fit for the position, performance and conduct record, time in current position, length of service, and other factors deemed relevant by the District. Any internal candidates will be considered, and the best person for the position, based on all relevant criteria, will be selected. The General Manager must give final approval on all promotions.

Rehires/Reinstatements

Former employees who resigned their employment with the District may be eligible for re-employment, and those employees who were laid off may be eligible for reinstatement. Consideration will be given to factors concerning prior work experience, the former employee's work record, and circumstances involving the prior separation from HVLCSO. At the General Manager's discretion, former employees being considered for re-employment or reinstatement may be subject to the same pre-employment testing processes as potential new hires.

The General Manager, along with the hiring supervisor, must review each proposed selection decision before a final determination is made with respect to rehiring any former employee. The General Manager must give final approval before any rehire decision may be made.

Section 4.4 Announcements. Vacancies approved by the General Manager for external posting shall be publicized on the District's website and/or public bulletin boards and/or professional recruiting websites and/or media outlets. The announcements shall specify the job title and other characteristics of the position and other pertinent information.

Section 4.5 – Pre-Employment Screening - Physical Exam & Background Check

- A. District employment offers are conditional upon successful completion of a pre-employment physical exam and drug screening by the District-approved medical facility at District expense, and a background check including DMV history.

Section 4.6 Eligibility to Work in the U.S.

HVLCSO employs only United States citizens and non-citizens who are authorized to work in the United States and does not unlawfully discriminate based on citizenship or national origin. In compliance with the Immigration Reform and Control Act, as amended, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form (I-9) and present documentation establishing

identity and employment eligibility no later than three (3) days following date of hire. If appropriate documentation is not received within this time, the employment relationship will be terminated.

Section 4.7 Employment of Relatives. It is the policy of the District to prohibit the appointment or continued employment of individuals under the direct or indirect supervision of a relative, or if the relationship creates an actual or potential problem of supervision, safety, security, or morale, or a conflict of interest. For purposes of this policy, relatives are defined as spouse, domestic partner, child, grandchild, mother, father, grandparents, brother, sister, mother-in-law, father-in-law, sister-in-law, brother-in-law, aunt, uncle, nephew, niece, foster child, ward of the court or any step-relations.

If two current employees become related and any potential problem noted above exists, the District will attempt to resolve the issue by, e.g., offering a transfer to another department or job assignment, at the District's discretion.

SECTION 5 – EMPLOYMENT PRACTICES

5.1 Personnel Files, Reports and Records

Personnel files shall be retained in a confidential manner, with restricted access only through the General Manager or her/his designee. Employees and former employees are permitted access to their personnel file upon request, and in accordance with applicable law.

5.2- Work Hours

Work hours for full-time District employees shall generally be five consecutive days a week, 8 hours per day (unless an alternate work schedule is approved by the General Manager. Examples of an alternate work schedule would be a 9/80 or 4/10 work schedule). The specific times and days of the workweek are scheduled at the discretion of the General Manager.

- A. All on-call work, that is, work performed outside normal business hours and before the start of the regular work hours when called out by the District after working a regular shift shall be compensated for actual emergency response time (two-hour minimum).
- B. The District pays all an amount equal to one and one-half times their regular hourly rate of pay for work performed in excess of 40 hours per workweek. The work week assignments for all employees shall be determined by the General Manager or their designee.

For computing time worked in this section, all paid leave (sick, holiday, vacation and floaters) taken during a work week shall not be computed as time worked.

Section 5.2.1 – Alternate Work Schedule Procedures

A. Procedures

The 9/80 work schedule is intended to provide employees greater flexibility when scheduling non-work activities, without impacting the District's mission, productivity or responsiveness to the public. Additionally, a 9/80 work schedule may provide the public with greater access to District personnel before 8am. In all cases, the General Manager has final authority to approve, deny or suspend participation in the 9/80 work schedule.

- a. In the absence of extenuating circumstances, the scheduled day off in the alternative work schedule (“AWS”) will be taken either every other Monday or Friday. Supervisors may approve rescheduling of an employee’s day off in order to meet specific needs of the District and/or the employee.
- b. Work day schedules shall be regular and recurring, and include the core work hours for the office of 7:30 a.m. to 5:00 p.m. and 7:00am to 4:30pm for field personnel.
- c. Overtime must be approved in advance by the employee’s Supervisor or the General Manager.
- d. When a holiday falls on an employee's regularly scheduled AWS day off, the employee will accrue eight (8) hours of holiday time that is to be taken the following work day, unless the employee arranges in advance with his/her supervisor to take another day off during the same pay period, however, the day off must occur after the date of accrual.
- e. When a holiday falls on an employee's 9-hour workday, the employee will receive eight (8) hours of holiday pay and have the option of being charged one (1) hour of vacation or floating holiday, or work an additional hour, at regular pay, on a subsequent day within the same work week.
- f. Employees who take sick leave, vacation time, or other paid time off on a regularly scheduled AWS workday will be charged with the number of hours they were regularly scheduled to work. For example, if an employee takes sick leave on a 9-hour scheduled workday, he or she will be charged with nine (9) hours of sick leave.
- g. Participation in the 9/80 work schedule is a privilege at the discretion of the General Manager. Approval of a 9/80 work schedule does not constitute or create an entitlement or vested right to a continued 9/80 work schedule.

Section 5.3 OVERTIME

Section 5.3.1 Authorization. All overtime shall be authorized by the General Manager or appropriate supervisor and recorded on the employee's time card.

Section 5.3.2 Eligibility For Overtime. The General Manager shall determine which positions are considered **non-exempt, and thus** eligible for overtime in accordance with applicable law. At the time of hire or promotion, employees are informed of whether their positions are, or are not eligible for overtime.

Section 5.3.3 Overtime Compensation. Overtime compensation shall be paid in accordance with applicable law and according to the provisions of the appropriate salary and benefit plan.

Section 5.3.4 Pre-Approval of Overtime. Non-exempt employees are not permitted to work overtime without pre-approval from their direct supervisor. Working overtime without pre-approval is not permitted.

Section 5.3.5 Phone Advice Pay. Is at the same rate as Call Out Pay, that is the actual time spent on the phone without the two-hour minimum.

5.4 – On Call Policy

A. PURPOSE:

The purpose of this policy is to establish guidelines regarding the compensation of non-exempt employees who perform duties outside their normal work hours. This policy applies to all employees who are required to be on-call and are called out to work to respond to emergencies outside of regular work or business hours.

B. POLICY:

The District will compensate employees who are required to be on-call or to respond within 45 minutes to a call for service received after normal working hours.

C. DEFINITIONS:

On Call Duty – employees who are designated by a Supervisor or the General Manager to be responsible for responding to emergency calls that occur after normal working hours shall be considered performing “on call duty.”

D. PROCEDURE

1. Scheduling
 - a. All on-call time is scheduled on the District calendar by the General Manager or Supervisor.
 - b. On-call personnel may trade scheduled On-Call time On-Call with other employees only with prior approval of the General Manager or Supervisor.
2. Responsibilities
 - a. On-call personnel shall carry a District provided cellular phone for District communication purposes during the entire On-Call period.
 - b. While on on-call duty, personnel shall immediately answer his/her District provided cellular phone and respond as necessary.
 - c. If On-Call personnel are required to respond to an incident by returning to the workplace or traveling to the emergency location, the employee shall notify his/her supervisor of their arrival at the location.
 - d. While personnel are assigned to on-call duty, they must not be under the influence of alcohol, drugs, or medication. If the on-call employee is taking prescription medication(s), he/she will provide a doctor’s note to his/her supervisor or HR representative reflecting that fact, and stating

whether the prescription medication might impair the employee's ability to perform call-out duties.

- e. On-call personnel must remain within 45 minutes travel time of District boundaries while on On-Call duty.

E. COMPENSATION

1. On-Call Pay – For each day on On-Call duty, employee will be paid a flat rate as approved by the Board of Directors. If the employee is called to perform any work during the On-call period, the employee will be compensated for the work performed.

Section 5.5 TRAINING

It is the policy of the District to encourage and promote training and educational opportunities for all District employees.

Section 5.6 ORIENTATION OF NEW EMPLOYEES. During the first week of initial employment, the new employee will receive "New Employee Orientation" from his/her supervisor and the Human Resources representative. This Orientation will familiarize the new employee with the his/her obligations and rights as a District Employee and provide an overview of District operations.

Section 5.7 TIME OF TRAINING PERIODS. Authorized training periods may be conducted either during or after normal working hours. Training sessions conducted during normal working hours shall be arranged to minimize interference with scheduled work.

Section 5.8 TYPES OF TRAINING. For administrative purposes the following categories of training are recognized.

Section 5.8.1: In-Service Training. Any formal employee training or development program that is sponsored by the District and conducted during an employee's regular hours of work at a District facility. Such programs are designed and conducted to meet job related needs of District employees.

Section 5.8.2: Out-Service Training. Any formal employee training or development program that is sponsored and conducted by any agency or organization other than the District at an off-site location. Assignment to such a program is for the purpose of meeting the needs of the District, for continuing employee training development, and the upgrading of employee's skills. Conferences and seminars that are conducted primarily for training and educational development purposes are considered out-service training.

Section 5.8.3: Required Out-Service Training. Required out-service training is directly related to improving the employee's performance of present duties and is required by the District and may include classes for required job certifications.

Section 5.8.4: Elective Out-Service Training. Elective out-service training that is not related to improving the employee's performance of present or future assignments in the District are not required or compensated by the District.

Section 5.9 PAYMENT OF TRAINING EXPENSES.

Section 5.9.1: Approval of Supervisor. District will authorize payment of out-service training expenses with the General Manager's or Supervisor's preapproval.

Section 5.9.2: Required Out-Service Training. An employee receives his/her regular salary for training time and is reimbursed for tuition, travel, meals and lodging expense when attending required out-service training upon approval by the General Manager or Supervisor.

Section 5.9.3: Career-Related Out-Service Training. When an employee desires to participate in voluntary career-oriented out-service training, the supervisor may, within budgetary limits and in accordance with District policies, recommend the payment of regular salary during the training and appropriate expense reimbursement. Prior to the commencement of training, approval of the General Manager is required.

Section 5.9.4: Uncompleted Assignment. An employee who does not satisfactorily complete an out-service training or educational assignment according to standards determined by the General Manager may not be eligible for reimbursement of tuition expenses and is generally required to return any advance payment received.

Section 5.10 - Reasonable Accommodation

HVLCSD will attempt to provide reasonable accommodation for known physical or mental disabilities if a job applicant or employee is otherwise qualified, to the extent required by law. An applicant or employee who needs accommodation should inform the General Manager. HVLCSD will then engage in an interactive process to obtain information relevant to the requested accommodation. You may be required to provide medical certification regarding your need for accommodation. All medical information is kept in a confidential medical file and shared only on a need to know basis. Contact the General Manager for further information.

Section 5.11 – Uniforms & Grooming, Dress Code & Other Personal Standards

Designated field personnel shall be furnished uniforms at the expense of the District which identify them as employees of Hidden Valley Lake CSD. District-furnished uniforms are to be worn only during an employee's District-related working hours; such uniforms are not to be worn while engaging in any non-District-related activities.

For all District employees, hair is to be maintained in a neat and safe manner, in a style which will permit the safe use of hard hats as necessary, or otherwise in accordance with safe practices. If an employee's duties require his/her presence in the proximity of rotating or reciprocating moving parts of machinery, hair shall be cut or safely controlled to avoid the possibility of it becoming tangled in such equipment. Employees with beards who are required to wear respirators in the course of performing their duties may be required to shave off the beard to assure that the respirator will fit properly and provide a tight seal.

At HVLCSD, professional image is important and is maintained, in part, by the appearance that employees present to the public, visitors, vendors, and others in our business. No one has a second chance at a first impression. In choosing appropriate work attire, employees should consider tastefulness, public contact, the nature of the job, and working conditions.

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

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

Business Casual Attire (Monday through Friday): The following attire is generally prohibited: Jeans, t-shirts, exposed midriffs, excessively low cut or tight tops, tops with spaghetti straps, tube-tops, halter tops, sweats, shorts, tennis shoes, flip flops, or other inappropriate attire.

At the General Manager's discretion, "Casual Friday" attire may allow jeans without holes, stains, etc. and clean tennis shoes. Field staff may wear District T-shirts.

Non-Compliance

Employees who are inappropriately dressed, in the determination of the General Manager or designee may be sent home and directed to return to work in appropriate attire that complies with this policy. Non-exempt employees will not be compensated for the time away from work.

6.0 COMPENSATION & SALARY ADMINISTRATION

The District is dedicated to maintaining salary scales which:

- Fairly and adequately compensate its employees;
- Support the recruitment and retention of its employees within the current labor market; and,
- Meet budgetary obligations to its rate payers.

6.1 Salary Administration

Each employee is paid a rate of pay within the salary range of the class in which he/she is employed, as determined by the General Manager.

6.2 Salary Range Adjustments – Labor Market Surveys and Cost of Living Adjustments

An Initial Salary range for each position is based on current labor market rates for similar positions in a cross section of comparable agencies. An Independent Human Resources Consulting firm is commissioned every three years to complete a current labor market salary survey on all District positions. Position descriptions and salary ranges are compared with survey data, and may be reviewed and adjusted by the Board of Directors as appropriate upon the recommendation of the General Manager.

Section 6.3 PERFORMANCE MANAGEMENT

Section 6.3.1 Performance Evaluation. Evaluations of the employee work performance is conducted by the supervisor and reviewed by the General Manager . The purpose of evaluating performance is to provide formal and informal feedback to the employees through periodic written and oral communications, and discussions. Supervisors will discuss methods for improving employee performance through oral and written communications, including performance improvement plans, as well as through the annual evaluation.

Section 6.3.2 General Policy. It is the policy of Hidden Valley Lake CSD to provide a systematic method for employees to become eligible for advancement through salary schedules.

Section 6.3.3 Merit Increases -- Part-Time Employees. Part-time employees may be eligible for a merit increase based upon satisfactory performance following completion of an equivalent amount of service as required for full-time employees as shown in Section 4.4.3.

Section 6.3.4 Merit Increases -- Full-Time Employees. A full-time employee may be eligible for a merit increase based on his/her overall score on the annual performance evaluation.

Consideration for subsequent merit increases shall occur approximately annually thereafter, and based on satisfactory performance evaluations, until the employee reaches the top step for his/her classification.

6.4 Pay for Performance Program (Under Review)

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6.5 – Transfers, Promotions & Provisional Positions

6.5.1 - Movement to Higher Range. When an employee is promoted, the employee shall be paid at the step of the assigned salary range as determined by the General Manager. In this circumstance the employee's new Anniversary date becomes the effective date of promotion. [NOTE: There has been no prior discussion of "anniversary" date.]

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Section 6.5.2 Movement to a Lower Range. When an employee is reassigned to a new position with a lower salary range, the employee shall be placed in the step of the lower salary range nearest to the employee's current rate of pay. The employee remains ineligible for merit increase until his/her position in the new salary range rises (through salary range adjustments) to allow consideration for increase. [NOTE: The foregoing sentence is unclear as written. It should be clarified or deleted.] Employees reassigned or reclassified to a lower position shall have no change made in their anniversary date.

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Section 6.5.3. Transfer. When an employee is transferred from one position to another having the same salary range, the employee's pay and anniversary date shall remain unchanged.

[NOTE: Consider deleting the above section 6.5, as presumably this information will be shared individually with the affected employee at the time of the employment change. In any case, there is no discussion in the above section about "provisional positions."]

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Section 6.7 - SEPARATION FROM EMPLOYMENT

Separation from employment can be either voluntary or involuntary and may be initiated either by the employee or the District.

Section 6.7.1 - Voluntary Separation

When an employee resigns, the separation is considered voluntary. If possible, employees who plan to resign are requested to give advance written notice, including reasons for the resignation, to their supervisor.

Section 6.7.2 - Involuntary Separation/Dismissal

An involuntary separation/dismissal is one that is initiated by the District.

Section 6.7.3 - Job Abandonment

An employee who has been absent for three (3) or more consecutive scheduled workdays without notification to his/her supervisor, will normally be considered to have abandoned his/her job and voluntarily terminated his/her employment without notice. The last day worked will be the date of separation.

Failure to return from an approved leave of absence or vacation as scheduled, may also be considered as a voluntary termination of employment without notice. The date of the expiration of the leave or vacation will be the separation date.

Section 6.7.4 - Exit Interviews

Whenever possible, exit interviews normally will be conducted for all separating employees. [NOTE: Even for involuntary terminations? I would not recommend this.] This interview allows employees to communicate their views on working at the District as well as the job requirements, operations, and training needs of the position. At the time of the interview, or not later than the last day of employment, employees will be required to return all District property issued or in his/her possession.

Section 6.7.5 - Final Pay

All wages that are due and payable (including any accrued and unused vacation time) will be paid upon separation of employment. The employee's final pay will be available either on the last day of employment or no later than the next payday following the processing of the normal pay period.

Section 6.7.6 - Return of District Property

It is the responsibility of any separating employee to return all property issued to them by HVLCSO. All such property, including any keys, laptop computer, cell phone, manual[s? Do we mean this handbook?], work-related documents, and other District property that the employee may have in his/her possession, must be returned on or before the last day of work.

[NOTE: As this essentially amounts to a statement that the District complies with the law (which we generally do not need to include in the handbook), I recommend instead that this information be provided to the affected employee at the time of termination.] **Section 6.8 - PAYROLL.**

Section 6.8.1 Payroll Direct Deposit Program

A. POLICY.

[NOTE: California law does not permit employers to require direct deposit. Voluntary authorization by the employee is required before an employer may directly deposit wages.] As a convenience, employees may elect to enroll in payroll direct deposit.

B. PROCEDURE.

1. All employees wishing to enroll in direct deposit by must complete and submit the voluntary authorization form, as well as a direct deposit enrollment form and a voided personal check to Accounting.
2. Paychecks will be electronically deposited in an employee's bank account through direct deposit and will commence on the first payroll after enrollment.

Employees who do not voluntarily elect direct deposit will receive a paper copy of their paycheck.

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COBRA is a state law that requires most employers sponsoring group health plans to offer covered employees and qualified beneficiaries the opportunity for a temporary extension of health coverage (called "continuation coverage") in certain instances where coverage under the plan would otherwise end. A similar federal law is applicable to the District. This extension of coverage is offered at group rates plus an administrative fee, the cost of which is fully borne by the employee or beneficiary. ¶ Employees and dependents covered by HVLCSO's health insurance plan may have the right to choose continuation coverage if they lose group health coverage for certain reasons. These may include termination of employment, reduction in hours or leave of absence, death, divorce or legal separation of an employee, employee's entitlement to Medicare, or a dependent child who no longer meets eligibility requirements. In order to ensure rights to benefit continuation, it is the employee's responsibility to notify HVLCSO in writing within 60 days of certain qualifying events. Questions concerning COBRA qualifying events and eligibility requirements should be addressed to the District Administrative Assistant.

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[NOTE: No need to have this policy that essentially states the District complies with applicable law.] **Section 7 - Time Cards, Core Hours and Adjustments**

Each District employee completes a time card for each pay period. The employee submits the completed time card to their direct supervisor for review and then to payroll for entry into the electronic payroll system. [NOTE: Doesn't the supervisor submit to payroll the reviewed time cards for his/her subordinates?] [NOTE: Do we need to identify by what date following the pay period that the employee must submit the timecard to allow for timely payroll processing?]

- A. The time cards are the official timekeeping documents for each employee and are subject to audit [by whom?]. Hours worked must be entered by the employee on the time card according to code. [NOTE: How are employees informed of the appropriate code(s)?] Each employee is responsible for the accuracy of his/her time card, which must be approved by his/her supervisor or the General Manager prior to submission to payroll.
- B. [NOTE: This does not fit in a section about timecards – it seems to belong in a section on work hours instead.] Duty hours are set for each employee, with some flexibility, as approved by the supervisor, to allow for minor variances. [NOTE: The foregoing sentence is unclear.] The duty hours for office personnel consist of a core time of 7:30 am to 5:00 p.m. daily while the duty hours for field personnel consist of a core time of 7:00 am to 4:30 p.m. daily (except if the employee is on alternate work schedule) during which all employees are expected to be present and available for District service. A normal work assignment is an eight-hour or nine-hour workday, plus up to an hour of unpaid time for lunch. All hours must be accounted for on the time sheet. Every employee must take at least one-half hour for lunch every work day and is not allowed to skip the lunch period to make up lost time.
- C. [NOTE: This doesn't make sense to me. Errors should be corrected immediately, as soon as they are noted. If an error is found later, it should be corrected then, even if it is months afterward.]

SECTION 8 – BENEFITS

[NOTE: Outside Benefits Expert reviewed Sections 8.1 through 8.4. The expert's redlined review and comments will be forwarded separately.]

Section 8.1 - Deferred Compensation Plan 457(b). District employees may participate in a deferred compensation/457(b) Plan that will allow employees to supplement their retirement plan. The District does not make contributions to an employee deferred compensation/457(b) Plan.

8.2 Retirement. District Employees are responsible for paying only the Medicare portion of Social Security (1.45% of gross wages) through payroll. The District maintains a contract with the Board of Administration California Public Employees' Retirement System (CalPERS). Subject to the Public Employees' Retirement Law, Government Code sections 20000 et seq. (PERL). The percentage of final compensation to be provided for each year of credited prior and current service as a local miscellaneous member shall be determined in accordance with Government Code section 21354 (2.5% at age 55 Full or 2% at age 62 Full). Employees hired after December 31, 2012 will be enrolled in CalPERS in a 2%-at-62 plan. Employees hired after December 31, 2012 will pay his/her contributions to CalPERS, which is 6.25% of gross annual income, while the District will pay employer contributions, which varies from year to year. Employees hired before January 1, 2013 are enrolled in CalPERS in a 2.5% @ 55 plan with an 8%

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Every employee must furnish a signed federal withholding exemption certificate (Form W-4) and state Form DE4 on or before the date of employment in accordance with applicable Internal Revenue Code sections and state income tax code. ¶

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Employees must submit completed W-4 and DE4 forms to Payroll for processing through normal payroll process and cycle....

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reduction from salary to pay employee's retirement plan portion. The District maintains copies of the complete documentation for review. In summary:

- A. To be eligible for service retirement, a member must be at least 50 years old and have five years of CalPERS credited service. There is no compulsory retirement age.
- A. The monthly retirement allowance is determined by age at retirement, years of service credit (sick time available is converted to service credit) and final compensation. The basic benefit is 2.5% of final compensation for each year of credited service upon retirement at age 55 or 2% @ 62.
- B. Final compensation is the average monthly pay rate during the last consecutive 12 months of employment for those employees under the 2% @ 62 and final compensation is determined by any consecutive 12 months of highest pay for those employees under the 2.5% @ 55.
- C. **4th LEVEL SURVIVORS BENEFIT 1959:** Pre - retirement: A monthly benefit for \$950 for 1 eligible survivor, \$1,900 for 2 eligible survivors, or \$2,280 for 3+eligible survivors. Eligible survivors are defined as 1) a spouse who is age 60 or older, or 2) a spouse who has care of eligible children. Eligible children are under the age of 22 and unmarried. Post- retirement: Over age 50 \$500 lump sum death benefit, plus any optional settlement if selected at the time of retirement by the employee.
- D. **DEATH AFTER RETIREMENT.** The lump sum death benefit is \$500.00.
- E. **TERMINATION OF EMPLOYMENT.** Members who have separated from employment and have been employed for less than 5 years, may elect to leave their CalPERS contributions on deposit or request a refund of contributions and interest. Those who leave their contributions on deposit may apply at a later date for a monthly retirement allowance if the minimum service and age requirements are met. Members who request a refund of their contributions terminate their membership and are not eligible for any future benefits unless they return to CalPERS membership. Employee will be notified by CalPERS of their options upon notification of separation date to CalPERS.

Section 8.3 - Health Care Insurance. The District pays 100% medical, dental, vision insurance coverage for full-time employees and their families.

Section 8.4 - EMPLOYEE HEALTH ALTERNATE COVERAGE

A. Purpose

To allow employees the option to deny District health care coverage when they have health care coverage through their spouse's employer or another source

B. Policy

If the employee chooses to deny the District Health Care coverage, he/she must provide:

- Documented proof of alternate health care coverage;
- A signed, notarized release acknowledging the employee's denial of health care coverage;

- Update Proof of alternative health coverage and release forms must be updated when changes occur.

When requirements are satisfied, the employee will receive a monthly compensation of \$200 for denial of District Health Care Coverage.

Section 8.5 – Tuition Assistance/Reimbursement Tuition reimbursement requests may be considered for full time employees, who have completed their initial employment probationary period, and are in good standing within their department. Employees who have transferred or have been promoted and are on promotional/transfer probation are also eligible for this program.

[NOTE: This program is quite long and detailed, especially assuming it is infrequently used. Consider shortening/summarizing the policy.]

[NOTE: Consider whether we can delete this level of detail.]

[NOTE: No need to include, given the already-stated “good standing” requirement.]

Any employee who is eligible for tuition assistance payment or reimbursement from any other source must declare the source and amount on the tuition reimbursement application to the District. The District will normally require the employee to use other available payment plans in preference to the District plan.

Veterans must exhaust their educational benefits before reimbursement can be approved. However, if veteran [?] educational benefits received do not cover the entire cost of coursework, the tuition reimbursement program may consider paying a percentage of the cost not reimbursed.

If an employee resigns, is discharged or laid-off prior to completion of coursework and submission of his/her grades to the HR administrator, his/her application for tuition reimbursement will be voided.

Contingent on budget allocations, full-time District employees who meet specified criteria may be eligible to receive financial assistance to attend educational courses at fully-accredited educational institutes in coursework that fosters personal development in job-related areas as well as career advancement. The program is available to employees who engage in studies that do not interfere with regular working hours and that lead to a degree or class work that is mutually beneficial to the District and employee.

Applications must be filed and approved by supervisors and the General Manager before the employee commences course work. To be eligible for consideration for reimbursement, the employee must submit a grade report at the end of the course, along with a tuition and fee statement, to the HR administrator showing course completion with a minimum of a C grade or passing grade in non-graded courses.

Upon pre-approval and receipt of certification of completion, the HR administrator will submit the reimbursement request for payment.

[NOTE: Any such contractual requirement must be in a writing signed by the employee and District.]

The tuition reimbursement may be a taxable benefit depending upon the provisions of the Internal Revenue code. The individual employee will be responsible for any tax liability.

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Section 8.6 - Paid Time Off.

A. HOLIDAYS. The District observes the following holidays, including two eight-hour floating holidays, as paid time off to eligible employees. In the event a District-recognized holiday falls on Saturday, the holiday will be observed the preceding Friday. In the event the holiday falls on Sunday, the District-recognized holiday will be observed on the following Monday. [NOTE: We need to state which employees are eligible for holidays. All? Only full-time?] [NOTE: We should identify when floating holidays are granted/accrued, and how they are requested as time off.]

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New Year's Day	Thanksgiving (Thurs & Fri)
Martin Luther King Day	Veterans Day
Presidents Day	December 24th ½ day (All day if it falls on a Monday and half day if it falls on a Tuesday through Friday)
Memorial Day	Christmas Day
Independence Day	(2) Floating Holidays
Labor Day	

B. VACATION. Regular full-time employees accrue paid vacations time. [NOTE: Insert here the accrual chart from Section C. It appears the calculation for the vacation cap is odd. Ordinarily, I see a cap that is, e.g., 1.5 times or 2 times the total annual accrual. How is this calculation derived?]

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Regular part-time employees earn vacation on a pro-rata basis according to their regularly scheduled workweek. Employees who are in unpaid status (i.e. not at work and not using vacation or paid sick leave benefits) do not accrue vacation time. [NOTE: Are temp/provisional/probationary employees eligible to accrue vacation? We should clarify that.]

Deleted: Vacation accrues on a biweekly basis on the last day of the pay period, based upon hours paid.

Vacation can accrue up to a maximum of two times the employee's annual accrual. [NOTE: The vacation chart does not reflect this. It should be revised to reflect this maximum accrual.] Once this cap is reached, no further vacation will accrue until some vacation is used. An employee may not use vacation in advance of its accrual. Employees may use vacation in increments no smaller than one-quarter (1/4) hour / fifteen minutes. [NOTE: Consider deleting the foregoing sentence if it is not an issue.]

Deleted: (The General Manager can approve an exception on a case by case basis)

[NOTE: Unless there is some statutory requirement for the use of 5 consecutive days of per year, I recommend against the below.] HVLCS D provides paid vacation in order to provide its employees with a respite from their work and HVLCS D believes that vacations are important for employee morale and productivity.

Deleted: Therefore, it requires that each employee use five (5) consecutive days per calendar year. The General Manager may approve an exception to this requirement on a case-by-case basis. If necessary, HVLCS D may schedule vacations with reasonable notice for employees to enforce this policy....

Employees become eligible to take accrued vacation after six months of active service as work schedules permit. HVLCS D will make reasonable efforts to allow employees to take vacation when requested. Each year, each employee shall submit to his or her supervisor a written vacation request [for the next 12 months?]. [NOTE: What about vacation requests that come up on shorter notice? Will they still be considered?] In order to ensure minimum staffing levels to meet member service and workload needs,

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requests for vacation will be granted only when staffing requirements permit and upon approval by the supervisor.

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Conflicts in scheduling requests will be resolved in favor of the employee with the greater seniority within his or her current department, except that timely requests shall have preference over late requests.

Upon termination of employment, employees are paid for any accrued but unused vacation time. [NOTE: Accurate, but no need to include this much information. Again – this is a payroll guideline.]

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C. VACATION LEAVE. [NOTE: Move to Section B, above, as indicated, and review the calculation for vacation caps.]

Years of Service	Annual Vacation Accrual (hours)	Maximum Cap On Vacation Accrual (hours)
1 to 4	80	184
5 to 9	120	232
10	128	280
11	136	328
12	144	376
13	152	376
14+	160	376

D. SICK LEAVE.

- Sick Leave Accumulation.** Regular full-time employees earn and accumulate sick leave credit at the rate of 20% of the standard average workweek for each full month of continuous service the employee has worked or has been on authorized leave of absence with pay. [NOTE: The above sentence is very difficult to understand. I suggest we state this more clearly. Do we mean 8 hours of paid sick time accrued per month for full-time employees?] An employee continues to earn sick leave while on any District-paid absence from work. Employees do not receive payment for unused accumulated sick leave upon termination of employment or upon retirement (either disability or regular).

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Deleted: An employee may not use sick leave to extend a retirement (either disability or regular) or termination date. This prohibition shall not affect an employee's right to obtain sick leave credit with PERS....

All other employees earn paid sick leave in accordance with law, that is [NOTE: Let's discuss how the District would like to comply with California's Paid Sick Leave law. One way is to provide 24 hours of paid sick leave upon hire. Otherwise, employers are required to permit accrual at the minimum rate of 1 paid sick hour for each 30 hours worked.]

- [NOTE: This goes without saying.]

Deleted: Accounting of Sick Leave Used. Each employee has one hour deducted from the employee's accrued sick leave time for each hour of sick leave taken....

3. **Holiday During Sick Leave.** If a paid holiday occurs during a period when the employee is on sick leave, the eligible employee will receive the holiday pay, as opposed to using the paid sick day. [NOTE: Is that accurate?]

4. **Use of Sick Leave.** Employees may use paid sick leave for any purpose permitted by law, including but not limited to:

- a. Diagnosis, care, or treatment of an existing health condition, or preventive care for, an employee or family member; or b. For an employee who is a victim of domestic violence, sexual assault, or stalking, for specified purposes permitted by law.

For purposes of this policy, Family Member is defined to mean a child, a parent, a spouse or registered domestic partner, a grandchild or grandparent, or a sibling.

6. [NOTE: In light of California's Paid Sick Leave law, the above is likely not permissible.]

7. **Exhaustion of Sick Leave.** In the event an employee uses all of the sick leave the employee has accrued, the General Manager may, [NOTE: I don't see a section 4.10 in the handbook.] allow the employee to take a leave of absence without pay if the employee does not have any other accrued paid leave time available.

E. **EXPECTATION OF REGULAR ATTENDANCE**

1. [NOTE: I recommend this paragraph be removed from this section, and instead included in a disciplinary section.] The District's successful operation depends in large part upon the attendance of each of its employees. Employees have an important job that fits into a pattern of service. Unnecessary and unexcused absences, therefore, are undesirable because they affect not only operations but the way in which fellow employees are able to do their jobs. It is important, too, to have a uniform attendance policy to avoid any misunderstandings regarding attendance expectations.

2.

F. **PREGNANCY DISABILITY LEAVE.** Employees are entitled to an unpaid leave of up to four months if the employee is disabled by pregnancy, childbirth or a related medical condition, so long as the employee's health care provider certifies that she is physically unable to work due to pregnancy or a pregnancy-related condition. Leave may be taken intermittently or on a reduced work schedule when medically advisable, as determined by the employee's health care provider. During a Pregnancy Disability Leave ("PDL") of absence, the employee must first use accumulated sick leave. Upon request, and at the discretion of the employee, vacation or other earned undifferentiated paid leave may be used during pregnancy disability leave.

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Deleted: Non-work-related illness, injury or exposure to contagious disease to the employee or physical or mental incapacity of the employee due to non-work-related illness or injury.¶

Deleted: Medical or dental office or hospital visits for examinations, diagnosis, or treatment to the extent such appointments cannot be scheduled outside the work day.¶

c. Maternity-related disabilities.¶
Serious illness or emergency of a member of the employee's immediate family member (see definition of Immediate Family under Section 2- Definition of Terms), who is incapacitated and/or requires the service of a physician, and when the presence of the employee is required.

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Deleted: 5. **Exclusions.** No employee is entitled to sick leave while absent from duty for the following causes:¶

¶

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c. **Certification Requirements.** As with all other medical leaves, employees wishing to take a pregnancy disability leave must submit a written request that includes an anticipated date of return to work. Ordinarily, the leave request should be submitted to the HR administrator prior to being taken. Requests for an extension of leave must be submitted in writing to the HR administrator prior to the original date of return and must be supported by a written certification of the attending physician that the employee continues to be disabled by pregnancy, childbirth, or a related medical condition.

3.

4. **Benefits during Leave.** An otherwise eligible employee on approved PDL is entitled to continue receiving group health insurance coverage that was provided before the leave. [NOTE: Employees on approved PDL must continue to be provided health insurance coverage.]

5. **Return from PDL.** Upon expiration of the approved PDL, and the District's receipt of a written statement from the health care provider that the employee is released to return to work, the employee shall be reinstated to her former position or to a comparable one, to the extent required by law.

G. **BEREAVEMENT.** In the event of a death in the employee's immediate family, a regular full-time employee shall be entitled, at the discretion of the General Manager, to five working days off with pay to attend the funeral. Under this policy, "immediate family" member means: father, mother, wife, husband, registered domestic partner, brother, sister, daughter, son, grandparents, and those relationships generally called "half" or "step." [NOTE: Any partial benefit for part-time employees? Confirming that no other employees are entitled to bereavement leave?]

H. **JURY DUTY LEAVE.** When called to jury duty, an employee will receive full pay from the District [for a period not to exceed two weeks]. [NOTE: I generally recommend setting a time limit on jury duty pay, to avoid paying employees for lengthy trials. For witness duty, other than as may be required by the District, I recommend we not provide any pay.] For purposes of payroll, an employee must obtain validation from the Jury Clerk of time spent on jury duty. An employee who is summoned must notify his or her supervisor or the General Manager as soon as possible after receiving notice of both possible and actual jury service. An employee receiving jury service fees shall remit such fees to District Accounting in order to be considered "at work" for payroll purposes during the time spent serving on the jury. The employee is entitled to retain any mileage allowance the court pays. [NOTE: Consider not requiring remittance of the jury duty fees, as this may be more trouble than it is worth.]

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Deleted: **Work during Pregnancy.** Female employees may continue working during pregnancy as long as the individual, her physician, and the supervisor concur in her ability to work, and the demands of the job are satisfied. Proof of the ... [8]

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Section 8.7 – UNPAID TIME OFF

MILITARY LEAVE. Military leave is granted in accordance with the applicable provisions of state and federal laws. [NOTE: On the assumption that this is rarely an issue, I recommend we provide required information to affected employees at the time the leave is requested.]

J. SCHOOL ACTIVITY LEAVE

[NOTE: This law applies only to employers with 25 or more employees. Accordingly, the District is not covered by this law, but may nonetheless offer the leave.] The purpose of this policy is to provide District employees with the opportunity to attend his/her child's or grandchild's school activities and maintain a positive work/home life balance.

1. Policy:
Allow employees to attend his/her child's school functions, to the extent required by law.

2. Procedure:
Any employee who is the parent, grandparent or legal guardian of a child in preschool through grade 12 may request up to 40 hours off each year for the purpose of attending school activities. This time is unpaid.

Employees are limited to no more than eight (8) hours off for this purpose in any one (1) calendar month.

The employee is required to give reasonable advance notice (at least one week's notice is requested) and, if requested by his/her supervisor, documentation indicating the date and time of the school activity for which time off is requested.

K. WORKERS' COMPENSATION. All employees of the District are covered by the workers' compensation laws of the State. The District is a member of the Special District Risk Management Authority (SDRMA). This Authority establishes procedures regarding employee notification of worker's compensation benefits. [NOTE: I rarely see this level of detail regarding workers' comp in a policy, and I don't recommend it. Consider instead including only the above paragraph in the handbook (even the above is not necessary, however), and referring all w/c matters to a knowledgeable HR person to handle, rather than to supervisors who may not be familiar with w/c procedures. In any event, when a claim is filed, the District should consult with its third-party w/c administrator to ensure all current requirements are met.]

The District shall provide to every new employee, either at the time of hire or by the end of the first pay period, the Written Notification of Medical Provider Network (MPN) and the "Well Comp Medical Provider Network" pamphlet in both English and Spanish.

If an employee is injured on the job, the employee shall immediately notify the designated supervisor. The supervisor shall ensure necessary medical treatment is provided by either referring the employee to the District's Company Nurse Program or calling the District's

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¶
1. Employees who are called or volunteer for services with the armed forces of the United States, the California National Guard or the fire department shall be entitled to be considered for reinstatement in accordance with the provisions of these rules.¶

¶
2. An employee promoted to fill a vacancy created by a person serving in the armed forces shall hold such position subject to the return of the veteran. The employee affected by the return shall be restored to the position he or she held previously or any other equivalent position.¶

¶
3. A new employee hired to fill a vacancy created by a person serving in the armed forces shall hold such position subject to the return of the veteran. The employee affected by the return shall be placed in as nearly equal a vacant position as may exist, or if no such position exists, may be subject to layoff.¶

¶
4. Reserve Duty. Employees who participate in a reserve unit of the armed forces shall attempt to arrange time off for two-week assignments with the supervisor in advance of the scheduled drill. Such employees shall receive their normal compensation during a two-week drill assignment. Weekend drills shall also be scheduled in advance if the employee is scheduled to work on weekends. ...

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Company Nurse on the employee's behalf. [NOTE: I am unfamiliar with this program, so am unable to provide a legal opinion regarding it.] The Company Nurse will provide the employee with

the necessary treatment options available to him/her and provide instructions for any follow-up care. The injured employee or their designated representative shall receive and complete the employee portion of the Department of Workers Compensation form (DWC 1). If an employee declines to have medical treatment, they must complete the employee portion of the Declination of Medical Treatment and Declination of Medical Treatment Incident Form. All forms must be returned to supervisors within 24 hours of notification of a workplace illness or injury. Employees should retain a copy of all forms for their records.

Supervisors must complete the employer portion of the (DWC 1) form. If the employee declines treatment, Supervisors must complete the employer portion of the Declination of Medical Treatment and Declination of Medical Treatment Incident Form. For employees requesting medical treatment, the Administrative Assistant must complete Form 5020 (Employer's Report of Occupational Injury or Illness); write the employee's name and incident date on the Treating Physician Checklist and print, sign, and date the initial treatment authorization.

All forms shall be completed within 24 hours of notification of a workplace injury or illness. Employees should take the Treating Physician Checklist and treatment authorization to the designated medical facility or pre-designated physician.

In addition, Supervisors are required to complete the Supervisor Incident Form for any treated or untreated workplace injury or illness and mail it, along with indicated attachments to:

York Insurance Services Group
P.O. Box 619058
Roseville, CA 95661

Any employee who is eligible for temporary disability payments under the workers' compensation law shall, for the duration of such payments, receive only that portion of his/her regular salary which, together with said payments, will equal his/her regular salary. [NOTE: This should be discussed with the affected employee at the time of the leave.]

After exhausting sick leave and vacation benefits, and while the employee continues to receive workers' compensation benefits, the District will continue to cover health benefits. [NOTE: Confirm that the health insurance policy permits such coverage (i.e., in the absence of any hours worked.) [NOTE: Address with affected employee at the applicable time.]

[NOTE: Where covered employees (like the District) have no employees eligible to take this leave (because they do not meet the threshold employee number requirement), there is no need to include any FMLA policy statement in the handbook. On the other hand, covered employees (even with no eligible employees) are required to post a notice explaining the Act's provisions and providing information about the procedures to file a complaint of violation of the Act. Employers can use the Department of Labor general notice (WHD Publication 1420) for this purpose.]

Section 8.9 – Personal Leave of Absence Without Pay. The General Manager may grant a regular or probationary employee a personal leave of absence without pay not to exceed three months.

Deleted: Unless otherwise advised in writing by the employee within a five-day period, such salary payments made during a period of temporary disability payments shall be charged against the employee's accumulated sick leave or vacation leave. Should the employee's accumulated sick leave and vacation leave be exhausted, the employee shall be subject to a leave of absence without pay. In order for the employee to not endure an undue hardship caused by the time lag involved in temporary disability, the employee, at the discretion of the General Manager, may be paid his/her full salary to the extent of accumulated sick leave or vacation leave. Upon receipt of temporary disability payments, the employee shall endorse such payments to the District.

Deleted: After the employee has exhausted sick leave and vacation benefits, the District will make no contributions to the retirement plan.

Deleted: Section 8.8 - FAMILY CARE AND MEDICAL LEAVE.

¶
A. POLICY STATEMENT.¶

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Hidden Valley Lake CSD (The District) follows and supports both the federal and state laws, rules and regulations of the federal government under the U.S. Department of Labor, Fair Labor Standards Act (FLSA) and California Labor Laws (As Amended). ¶
Finding that California Labor Law encompasses the federal FLSA and is more restrictive, increasing the protection of the employee, the District adheres to the California Labor Laws (As Amended).¶

¶
These laws can be found by following the links below:¶

¶
U.S. Department of Labor FLSA (As Amended)¶
<https://www.dol.gov/whd/flsa/>¶

¶
California Labor Laws (As Amended)¶
<https://labor.ca.gov/laborlawreg.htm>¶

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Employees wishing to take such a leave must submit a written request [to the General Manager?] setting forth the reason for the request. The District's response to the request shall be in writing.

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An employee granted personal leave must exhaust all accrued vacation and comp time credits [NOTE: "Comp time credit" is unclear.] and/or administrative leave during the leave. Any remaining approved personal leave of absence will be without pay. Employees returning from a personal leave are generally reinstated in the position held at the time the leave was granted. There is no guarantee of reinstatement following personal leave, however.

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The General Manager may review any request to extend a personal leave, and extend leaves of absence at his/her sole discretion up to the maximum of three months. [NOTE: Consider including the information about leaves not counting towards probation in the section discussing probationary employees.]

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Deleted: Failure on the part of an employee on leave of absence without pay to report promptly at its expiration, or within a reasonable time after notice to return to duty shall be cause for discharge.

[NOTE: I recommend we include a general medical leave section. Let's discuss.]

Deleted: Supervisors may grant a regular or probationary employee leave of absence without pay not to exceed two calendar weeks. All leaves of absence without pay shall be reported to the General Manager. A leave of absence shall be considered an interruption in the probationary period. Time off on a leave of absence without pay by a probationary employee shall not be counted as part of the probation period....

SECTION 9 - EMPLOYEE CONDUCT & DISCIPLINE

9.0 Initiation and Nature of Disciplinary Action

Disciplinary action may be initiated by the General Manager on his/her own initiative or upon written recommendation of the employee's supervisor.

Disciplinary action may consist of, e.g., an oral reprimand, a written reprimand, suspension without pay, demotion, and/or reduction in pay, and/or termination. The General Manager may impose any level of discipline he/she deems appropriate and need not follow a course of progressive discipline.

9.1 Some Reasons for Disciplinary Action

It is impossible to provide a comprehensive list of all employee conduct that may lead to discipline. For purposes of illustration, some examples of reasons for the imposition of discipline include, but are not limited to, the following:

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1. False statement or omission of information in connection with any District record or procedure, including but not limited to employment applications, interviews, or examinations;
2. Violation of any District policy;
3. Unauthorized and/or excessive absence or tardiness;
4. [NOTE: Goes without saying.]
5. Violation of the policy prohibiting harassment, discrimination, or retaliation;
6. Any act of fraud, dishonesty, misappropriation, embezzlement or similar conduct involving HVLCSO;
7. Substandard performance or inefficiency;
8. Insubordination;

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Deleted: Conviction of a felony or other criminal act, which is of a nature to adversely affect the employee's ability to perform the duties and responsibilities of his employment;

Deleted: Disorderly conduct

Deleted: <#>An inability to perform the essential functions of the employee's job (with reasonable accommodations); ¶

- 9. Violation of the alcohol and drug use policy;
- 10. Damage to, waste of, or unauthorized use of HVLCS D's supplies, equipment or premises;
- 11. Failure to follow safety instructions or directions or practices;
- 12. Unauthorized employee use of District equipment for personal use;
- 13. Discourteous or unprofessional treatment of others, including workplace bullying, or violent or threatening behavior; and/or
- 14. Engaging in prohibited conduct, as set forth in the Ethics Policy or any District policy.

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Deleted: <#>False statement of fact or actual or attempted deception, fraud, or misconduct in or with an application, interview, or examination; ¶

SECTION 10 - GRIEVANCE PROCEDURE

Section 10.0 PURPOSE. The purpose of the Grievance Procedure is to:

- A. Afford employees a process for obtaining consideration of their work-related concerns or problems.
- B. Provide that grievances are resolved timely, and at as low a level as possible,

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[NOTE: A grievance is not an appeal.]

Section 10.1 MATTERS SUBJECT TO GRIEVANCE. Any alleged violation of the rules, policies and procedures set forth in this Employee Handbook, any alleged improper treatment of an employee, and any decision affecting an employee's employment may be a matter subject to review through the grievance procedure. [NOTE: This is quite broad, and would permit employees to grieve, e.g., their performance evaluations. I recommend we narrow the scope. Let's discuss.]

Deleted: Employees may initiate a grievance and at the first or subsequent steps in the grievance procedure. A decision may be made that the matter involved is not subject to grievance. ...

Section 10.2: MATTERS NOT SUBJECT TO GRIEVANCE. Such matters may include, but are not limited to, merit increases, compensation, work methods, equipment, hours of work, services provided, staffing levels, and employee performance evaluations, and/or disciplinary decisions.

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Section 10.3: GRIEVANCE PROCEDURE.

Step One

An attempt must be made to resolve all grievances on an informal basis by discussion between the employee and the immediate supervisor. It is the responsibility of the employee to initiate this process within seven calendar days of the date when action or incident giving rise to the grievance became known to the employee. The supervisor will let the employee know her/his informal decision regarding the matter.

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Step Two

If the employee believes the grievance is not satisfactorily resolved on an informal basis as described in Step One, the employee shall submit the grievance in writing to the employee's immediate supervisor within 7 calendar days after receiving the informal decision of the immediate supervisor. The supervisor

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must deliver his/her Step Two answer in writing to the employee within 15 calendar days after receiving the written grievance.

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Step Three

If the employee believes the grievance is not satisfactorily resolved at the second step, the employee must present his/her grievance in writing to his/her manager (the supervisor's immediate supervisor) within 15 calendar days after receipt of the written Step Two decision of his/her supervisor. The Step Three grievance must include a copy of the written Step Two grievance and decision. The manager receiving the Step Three grievance shall render a decision, in writing, and return it to the employee within 15 calendar days after receiving the Step Three grievance.

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Step Four

If the employee believes the grievance is not satisfactorily resolved at the third step, the employee shall submit the grievance in writing to the General Manager within 15 calendar days after receiving the Step Three decision. All prior written grievances and decisions from earlier steps must be included in the employee's Step Four grievance. The General Manager shall render a decision in writing to the employee within 20 calendar days after receiving the Step Four grievance.

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Deleted: of the employee's immediate supervisor is received...

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Section 10.4: CONDUCT OF GRIEVANCE PROCEDURE.

Time limits specified in Section 10.3 above may be extended to a definite date by agreement of the employee and the reviewer concerned.

Employee who use the grievance procedure in good faith will not be subjected to retaliation.

Deleted: must be assured freedom from reprisal for using the grievance procedure

Section 11 ANTI HARASSMENT AND DISCRIMINATION POLICY

- A. Introduction: The Hidden Valley Lake Community Services District is dedicated to providing a work environment for its employees that is free of unlawful harassment and discrimination. The District prohibits harassment and discrimination because of sex, gender, race, religion, creed, color, national origin or ancestry, citizenship, physical or mental disability, medical condition, marital status, registered domestic partner status, age, sexual orientation, gender identity or gender expression, military or veteran status, genetic information, or any other basis protected by federal, state or local law, ordinance or regulation (the "Protected Characteristics"). Such harassment and discrimination is unlawful and will not be tolerated. This policy prohibits unlawful harassment or discrimination of or by any employee of the District, including supervisors, managers, and co-workers. It also extends to vendors, independent contractors and others doing business with the District, including District Board members.

Section 11.1 DEFINITION AND EXAMPLES OF HARASSMENT. Harassment because of a Protected Characteristic prohibited. Such prohibited conduct included, but is not limited to the following examples:

Deleted: race, religion, color, national origin or ancestry, physical or mental disability, medical condition, marital status, age, sex, sexual orientation, genetic information or any other protected basis is

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1. Verbal conduct such as epithets, derogatory jokes or comments, slurs or unwanted sexual advances, invitations or comments;

2. Visual conduct such as derogatory and/or sexually oriented posters, photography, cartoons, drawings or gestures;
3. Physical conduct such as assault, unwanted touching, blocking normal movement or interfering with work of another individual; and,
4. Retaliation for having reported or threatened to report harassment or discrimination, or having assisted another employee to make a report under this policy.
5. ▼
6. ▼

Sexual harassment is a form of harassment. Sexual harassment includes unwanted or unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: 1) submission to such conduct is made a condition of the individual's employment; 2) submission to or rejection of such conduct by an individual is used as the basis for an employment decision affecting that person; or 3) the conduct unreasonably interferes with an individual's work performance, or creates a hostile work environment.

Section 11.2 COMPLAINT PROCESS. If an employee thinks he or she is being harassed or discriminated against on the job because of a Protected Characteristic, or if an employee observes behavior he or she believes to be in violation of this policy, the employee should immediately report the concern to any District supervisor, the HR administrator, or the General Manager. The complaint should include all details of the incident (s), the names of all individuals involved, and the names of any witnesses. [NOTE: The complaint is not required to be in writing.] Supervisors who receive a complaint under this policy will report it to Human Resources.

Every complaint that is reported will be taken seriously and investigated as appropriate. The District will conduct 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. The District does not retaliate against anyone for reporting any incidents of harassment, for making any complaints of harassment, or for participating in any investigation. Every employee's cooperation is crucial.

Section 11.4: COMPLAINT RESPONSE PROCESS

- a) Supervisors receiving harassment complaints will refer them immediately to Human Resources or the General Manager, or to the President of the Board of Directors if the General Manager is unavailable or personally involved in the complaint.
- b) ▼
- c) The General Manager, or his/her designee, [NOTE: The GM should be able to authorize an investigation without direction from the Board.] will ensure that an immediate, effective, thorough, and objective investigation of the allegation(s) is undertaken. Any information obtained through the investigation will be kept confidential to the extent possible to conduct an effective investigation into the allegations.

Section 11.5: FINDINGS AND RETALIATION. If it is determined that conduct violating this policy has

Deleted: because of sex, race or any other protected basis...

Deleted: Harassment can occur between any individuals associated with the District. Such individuals may include: Board members, supervisors, coworkers, agents, customers, vendors, contractors, or members of the general public.

Deleted: The victim of harassment may not be the person that is the recipient of inappropriate comments, actions, images, etc. Anyone who is affected by offensive conduct may be considered the victim of harassment.

Deleted: is defined by the Fair Employment and Housing Commission as "...

Deleted: or visual, verbal or physical conduct of a sexual nature."...

Deleted: gender, race, or other protected basis

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Deleted: , the President of the Board of Directors, or any other supervisor with whom the employee feels comfortable...

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Deleted: Supervisors must refer all harassment complaints to the General Manager or to the President of the Board of Directors if the General Manager is unavailable or personally involved in the complaint.

Deleted: The General Manager will call a special meeting, within one (1) week from the date of the complaint or as soon thereafter as is practicable, in order to notify the Board of Directors that a claim of harassment has been made against an employee, a staff member, or other person doing business with the District...

Deleted: upon receiving direction from the Board of Directors,...

Deleted: harassment

occurred, the District will take effective remedial action in accordance with the circumstances involved. Any employee determined to have violated this policy, will be subjected to appropriate disciplinary action, up to and including termination.

Deleted: will be taken
Deleted: be responsible for harassment

After the investigation and findings have been concluded, the District may communicate its findings to the complainant, the alleged harasser, and any other concerned party. Employees making or assisting with a complaint under this policy, or otherwise participating in the District's investigation of such conduct, are protected from any form of reprisal and/or retaliation for such protected activity.

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Section 11.6: IMMEDIATE REPORTING. All employees should report any incidents immediately so that complaints can be investigated, and resolved.

The California Department of Fair Employment and Housing ("DFEH") and the Equal Employment Opportunity Commission ("EEOC") are the state and federal agencies whose purpose is to address unlawful discrimination in the workplace. If an individual who provides services to the District believes s/he has been harmed by a violation of this policy, and is not satisfied with the District's response, that person may file a written complaint with these agencies. [NOTE: I recommend you provide the link to these two agencies here.]

Deleted: investigates and may prosecute complaints of harassment. An employee may have a claim of harassment even if he or she has not lost a job related or economic benefit. Whenever an employee thinks he or she has been harassed or that he or she has been retaliated against for resisting or complaining, that employee may file a complaint with the DFEH. The nearest DFEH office is listed in the telephone book.

SECTION 12 – ZERO TOLERANCE INCIVILITY & BULLYING POLICY

12.1: POLICY. The District has a zero-tolerance policy for incivility and bullying in the workplace. Understanding and mutual respect toward all individuals are important to maintain a safe and healthy workplace. All District personnel are expected to comply with these standards. [NOTE: This policy is quite long, and perhaps overly complicated. Consider a streamlined version instead that doesn't try to make a distinction between "incivility" and "bullying."]

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Deleted: Any employee who commits an act of incivility or bullying is subject to disciplinary action up to and including termination. This policy applies to a

Section 12.2: INCIVILITY.

- A. Uncivil workplace behavior includes acting in a rude and discourteous manner and/or displaying a lack of regard for others.
 - a. Employees are expected to treat other workers, the public [and vendors/contractors?] the way you would like to be treated, to extend common courtesies, to maintain appropriate boundaries. Ask for assistance from management or human resources when needed.

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Deleted: Examples include: ¶ taking someone else's food or beverage, purposely not greeting or acknowledging someone at the office, and not giving credit to a colleague on a project. When incivility is extensive it leads to lower job satisfaction, decrease in performance, higher absenteeism, and low morale. ¶ Preventive/Response Measure:

Section 12.3: BULLYING.

- A. Workplace bullying is behavior that harms, intimidates, offends, degrades, or humiliates an employee, possibly in front of other employees, clients, or customers. Workplace bullying may cause the loss of trained and talented employees, and may reduce productivity and morale. Some examples of bullying include:
 - a. spreading rumors, gossip and innuendo, intimidating a person, undermining or deliberately impeding a person's work, physically or verbally abusing or threatening abuse, removing areas of responsibilities without good reason, withholding necessary

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work-related information, making jokes that are offensive, intruding on a person's privacy by pestering/spying/stalking, creating a feeling of uselessness, yelling or using profanity, criticizing a person consistently or constantly and without good reason, belittling a person's opinion, unwarranted punishment, [NOTE: The foregoing seems a bit too specific for this general list.], tampering with a person's personal belongings.

If in doubt whether an action could be bullying, ask yourself if a reasonable person would consider the action acceptable.

- B. Preventive/Response Measure: Report bullying to any District supervisor. Any reports of workplace bullying will be treated seriously and investigated as appropriate. Employees who make reports under this policy are protected from retaliation.

SECTION 13 – WORKPLACE VIOLENCE PREVENTION POLICY

Section 13.1: PURPOSE. The purpose of this policy is to maintain a zero-tolerance standard with respect to violence, including threats of violence, in the workplace, and at work-related events. This policy applies to all employees.

Section 13.2: POLICY. The District prohibits violent behavior as well as any threats of violence. Such conduct by a District employee will not be tolerated. The District will investigate and remediate all concerns raised under this policy. Retaliation against a person who makes a good faith complaint under this policy is prohibited.

Section 13.3: DEFINITIONS.

- A. Workplace Violence: Behavior that inflicts or threatens to inflict damage or harm to to others, or to property.
- B. Threat: The implication or expression of intent to inflict harm, or actions that a reasonable person would interpret as a threat to safety or property.
- C. District premises or District facilities means all property of the District including, but not limited to the offices, facilities and surrounding areas on District-owned or -leased property, parking lots, and storage areas. The term also includes District-owned or -leased vehicles and equipment wherever located, as well as pump station, sites, sewer line, excavation sites related to District operations.
- D. [NOTE: No need to define the above deleted terms.]

Section 13.4: PROHIBITED BEHAVIOR.

- A. Under this policy, prohibited conduct in the workplace may include, but is not limited to the following:

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Deleted: blocking applications for training/leave/promotion...

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Deleted: and an informal investigation will be conducted. In the event the informal stage is not sufficient, or the offense is of a serious nature, a formal investigation will be conducted

Deleted: promptly

Deleted: Managers and supervisors must ensure employees who make complaints, or witnesses are not victimized...

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Deleted: This policy provides District employees with guidance that will maintain an environment at and within District premises and facilities as well as events that are free of violence and the threat of violence.

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Deleted: and includes volunteers, temporary and provisional employees as well as contracted employees

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Deleted: , either implied or direct, in District premises and facilities as well as at District sponsored events

Deleted: An employee who exhibits violent behavior may be subject to criminal prosecution and shall be subject to disciplinary action up to and including termination. Violent threats or actions by a non-employee may result in criminal prosecution....

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Deleted: Intimidation: Making others afraid or fearf (... [23])

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1. Threats or intimidation.

Any act of violence.

3. Stalking, including following to and from work.

4. Possession of weapons of any kind on District premises, including parking lots, other exterior premises, or while engaged in activities for District in other locations, or at District sponsored events.

5. Assault of any form.

6. Physical restraint or confinement.

7. Dangerous or threatening horseplay.

8. Inappropriately loud, disruptive, offensive, or angry behavior or language.

9. Disregard for the safety or well-being of others.

[NOTE: Goes without saying, and it probably already subsumed within other bullet points here.]

11. Any other act that a reasonable person would perceive as constituting a threat or act of violence.

C. REPORTING ACTS OR THREATS OF WORKPLACE VIOLENCE.

An employee who:

- 1. is the victim of violence, or
- 2. believes s/he has been threatened with violence, or
- 3. witnesses an act or threat of violence towards anyone else

must take the following steps:

- a. If an emergency exists and the situation is one of immediate danger, the employee must contact the Lake County Sheriff's Department by dialing 9-1-1, and then take whatever emergency steps are available and appropriate to protect him/her from immediate harm, such as leaving the area.
- b. If the situation is not one of immediate danger, the employee must report the incident to the appropriate supervisor or manager as soon as possible and complete the District's Workplace Violence Incident Report Form.

E. INCIDENT INVESTIGATION.

1. Acts of violence or threats will be investigated as appropriate. The District will not tolerate retaliation against any employee who reports workplace violence.

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Deleted: B. DOMESTIC VIOLENCE¶
 Domestic violence, while often originating in the home, can significantly impact workplace safety and the productivity of victims as well as co-workers. For the purposes of this document, "domestic violence" is defined as abuse committed against an adult or fully emancipated minor. Abuse is the intentional or reckless attempt to cause bodily injury, sexual assault, threatening behavior, harassment, or stalking, or making annoying phone calls to a person who is in any of the following relationships:¶

- 1. Spouse or former spouse;¶
- 2. Domestic partner or former domestic partner;¶
- 3. Cohabitant or former cohabitant and or other household members;¶
- 4. A person with whom the victim is having, or has had, a dating or engagement relationship;¶
- 5. A person with whom the victim has a child.¶
- 6. The District recognizes that domestic violence may occur in relationships regardless of the marital status, age, race, or sexual orientation of the parties. ¶

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Deleted: D. PROCEDURES FOR FUTURE VIOLENCE.¶

- 1. Employees who have reason to believe they, or others, may be victimized by a violent act sometime in the future, at the workplace or as a direct result of their employment with the District, shall inform their supervisor by immediately completing a Workplace Violence Incident Report Form so appropriate action may be taken. The supervisor shall inform the General Manager and the local law enforcement officials.¶
- 2. Employees who have signed and filed a restraining order, temporary or permanent, against an individual due to a potential act of violence, who would be in violation ... [25]

Deleted: immediately

Deleted: in order to protect employees from danger, unnecessary anxiety concerning their ... [26]

F. MITIGATING MEASURES. [NOTE: The information above and below may be useful guidelines for high level managers, but does not belong in a handbook going to the general employee population.]

G. TRAINING AND INSTRUCTION.

1. The District will periodically provide all employees, including managers and supervisors, with training and instruction on this policy, and on general workplace security practices. [NOTE: If we commit to this, then we need to ensure to provide the training.]
2. _____
3. Workplace security training and instruction may include, but is not limited to, the following:
 - a. Preventive measures to reduce the threat of workplace violence, including procedures for reporting workplace security hazards.
 - b. Methods to diffuse hostile or threatening situations.
 - c. Escape routes.
 - d. Explanation of this Workplace Violence Prevention Policy.

[NOTE: General job safety is a different topic than workplace violence, and should be addressed separately.]

SECTION 14 – DRUG & ALCOHOL ABUSE AND CONTRABAND POLICY

Section 14.1: PURPOSE. The purpose of this policy is to outline the goals and objectives of the District's policy prohibiting drug and alcohol use or abuse in the workplace. The policy also discusses the District's drug and alcohol testing program and provides guidance to supervisors and employees concerning their responsibilities for carrying out the program. This policy applies to all District employees.

Section 14.2: POLICY.

- A. The District has a vital interest in maintaining a safe, healthy, and efficient working environment. Being under the influence of a drug or alcohol on the job poses serious safety and health risks to the user and to those who work with the user. The use, sale, purchase, transfer or possession of an illegal drug or alcohol [?] in the workplace, and/or being under the influence of drugs or alcohol at work or in a work-related situation is prohibited.
- B. [NOTE: This, and the below, go without saying.]
- C. _____

Deleted: Incidents which threaten the security of employees shall be mitigated as soon as possible following their discovery. Mitigating actions include:¶
1. . Notification of law enforcement authorities when a potential criminal act has occurred.¶
2. . Provision of emergency medical care in the event of any violent act upon an employee.¶
3. . Post-event trauma counseling for those employees desiring such assistance.¶
4. . Assurance that incidents are handled in accordance with the Workplace Violence Prevention policy.¶
5. . Requesting District Counsel and file a restraining order as appropriate.¶

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Deleted: Managers and supervisors shall be responsible for ensuring that all employees are provided training and instructions on job specific workplace security practices.

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Deleted: Training and instruction shall be provided as follows:¶

- a. . To all current employees when the policy is first implemented. Employees will be required to sign a written acknowledgment that the policy has been received and read.¶
- b. . To all newly hired employees, supervisors and managers, or employees given new job assignments for which specific workplace security training for that job assignment has not previously been provided. Employees will be required to sign a written acknowledgment that the policy has been received and read.¶
- c. . To affected employees whenever management is made aware of a new or previously unrecognized hazard.

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Deleted: In addition, specific instructions shall be provided to all employees regarding . workplace security hazards unique to their job assignment.

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Deleted: The District has the right and obligation to maintain a safe, healthy and efficient workplace for all of its employees, and to protect the organization's property, information, equipment, operations and reputation, as well as protecting the public.

Deleted: The District recognizes its obligations to the public for the provision of services that are free of the influence of illegal drugs and alcohol and will en ... [27]

- D. The District further expresses its intent through this policy to comply with federal and state rules, regulations or laws that relate to the maintenance of a workplace free from illegal drugs and alcohol.
- E. As a condition of employment, all employees are required to abide by the terms of this policy and to notify District management of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.
- F. The District has a heightened interest in safety concerns with heavy equipment operators and other employees, who operate potentially dangerous equipment that justifies special provisions relating to those employees.

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Section 14.3: DEFINITIONS.

- A. Alcohol means any beverage that contains ethyl alcohol (ethanol), including but not limited to beer, wine and distilled spirits.
- B. Contraband means any article, the possession of which on District premises or while on District business, that causes an employee to be in violation of the policies in this Handbook, any other District rules or regulations or state and/or federal law. Contraband includes illegal drugs, drug paraphernalia, lethal weapons, firearms, explosives, incendiaries and stolen property.
- C. District premises or District facilities means all property of the District including, but not limited to the offices, facilities and surrounding areas on District-owned or -leased property, pump stations, sewer line easement areas, parking lots and storage areas. The term also includes District-owned or -leased vehicles and equipment wherever located.
- D. Drug testing means the scientific analysis of urine, blood, breath, saliva, hair, tissue and/or other specimens of the human body for the purpose of detecting the presence of a drug or alcohol.
- E. Illegal drug means e.g., any drug which is not legally obtainable; any drug which is legally obtainable but has not been legally obtained; any prescribed drug not legally obtained; any prescribed drug not being used for the prescribed purpose, Some examples of illegal drugs are cocaine, heroin, methamphetamine, phencyclidine (PCP), and so-called designer drugs and look-alike drugs.
- F. Legal drug means any prescribed drug or over-the-counter drug that has been legally obtained and is being used for the purpose for which prescribed or manufactured.
- G. Reasonable suspicion, under this policy, means a belief based on objective facts sufficient to lead a prudent person to conclude that a particular employee is unable to satisfactorily perform his or her job duties due to drug or alcohol impairment. Such inability to perform may include, but is not be limited to, decreases in the quality or quantity of the employee's productivity, judgment, reasoning, concentration and psychomotor control, and marked changes in behavior. Accidents, deviations from safe

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working practices and erratic conduct indicative of impairment are some examples that may lead to a conclusion of “reasonable suspicion.”

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- H. Under the influence means a condition in which a person is affected by a drug or by alcohol in any detectable manner. The symptoms of influence are not confined to those consistent with misbehavior, or to obvious impairment of physical or mental ability, such as slurred speech or difficulty in maintaining balance.

Deleted: A determination of being under the influence can be established by a professional opinion, a scientifically valid test, such as urinalysis or blood analysis, and in some cases by the opinion of a layperson...

Section 14.4: EDUCATION.

A. The District provides to supervisors and other management personnel periodic training in:

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1. Detecting the signs and behavior of employees who may be using drugs or alcohol in violation of this policy;
2. Intervening in situations that may involve violations of this policy;
3. Recognizing the above activities as a direct job responsibility.

B. The District provides to all employees periodic training in [NOTE: Accurate that we provide training? Or do we mean simply provide this policy?]:

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1. The health and safety dangers associated with drug and alcohol abuse;
2. The provisions of this policy.

Section 14.5: SPECIFIC PROCEDURES,

Deleted: PROHIBITED ACTIVITIES

A. LEGAL DRUGS.

1. The use of any drug which could or does interfere with the safe and efficient performance of duties or operation of District equipment, by any employee while performing District business or while on District premises, is prohibited. However, an employee may continue to work even though using a legal drug if District management has determined, after consulting with General Manager, and with the employee’s health care provider (if appropriate), that such use does not pose a threat to safety and that the employee’s job performance is not significantly affected.
2. An employee who is taking a legal drug, which could interfere with the safe and efficient performance of duties or operation of District equipment, must report that fact to his or her supervisor prior to the performance of District business. The supervisor who is so informed will contact the General Manager.
3. The District at all times reserves the right to judge the effect that a legal drug may have on safety and job performance, and to restrict the using employee’s

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work activity or presence at the workplace accordingly. If there is a question regarding an employee's ability to perform assigned duties safely and effectively while using legal drugs, the District may require medical clearance.

B. ILLEGAL DRUGS AND ALCOHOL.

1. The use, sale, purchase, transfer or possession of an illegal drug by any employee while on District premises or while performing District business is prohibited.

2. The use, sale or purchase [NOTE: What about "transfer or possession"?] of alcohol by any employee while on District premises or while performing District business is prohibited.

C. OBLIGATION TO REPORT. Any employee who knows or has reasonable suspicion that another employee is using, selling, under the influence or otherwise in violation of this policy is required to report that suspicion to the General Manager. [NOTE: This was moved up from the Discipline section.]

Section 14.6 **DISCIPLINE.**

A. Any employee who violates this policy will be subject to discipline, up to and including termination.

C. Any employee who is found to be in possession of contraband in violation of this policy will be subject to discipline up to and including termination.

D. [NOTE: This is covered in "A" above.]

E.

Section 14.7: **DRUG AND ALCOHOL TESTING OF CERTAIN JOB APPLICANTS.**

A. [NOTE: It may not make sense to include the applicant section in the handbook as, by the time employees receive this handbook, all such information will be moot as to them (i.e., already occurred and no longer relevant). Consider deleting.] All applicants for employment whose job duties will involve the use of heavy equipment or potentially dangerous equipment [NOTE: I assume no volunteers will use heavy or dangerous equipment?] are subject to drug and alcohol testing after a conditional offer of employment is made by the District.

B. Such an applicant must pass the drug and alcohol test to be considered for employment.

C. An applicant will be notified of the District's drug and alcohol testing policy prior to being tested; will be informed in writing of his or her right to refuse to undergo such testing; and will be informed that the consequence of refusal is revocation of the conditional job offer.

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Deleted: possesses, distributes, sells, attempts to sell or transfers illegal drugs on District premises or while on District business will be terminated immediately.¶

B. Any employee who is found to be under the influence of alcohol in violation of this policy

Deleted: Any employee who is found through drug or alcohol testing to have in his or her body a detectable amount of an illegal drug or of alcohol will be subject to discipline up to and including termination.

Deleted: Any employee who knows or has reasonable suspicion that another employee is using, selling, under the influence or otherwise in violation of this policy shall have a duty to report that suspicion to the General Manager. Failure to report such suspicion may result in discipline up to and including termination.

Deleted: , including applicants for part-time and volunteer positions ...

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- D. An applicant will be provided written notice of this policy and by signature will be required to acknowledge receipt and understanding of the policy.
- E. If an applicant refuses to take a drug or alcohol test, or if evidence of the use of illegal drugs by an applicant is discovered, either through testing or other means, the conditional job offer will be revoked,

Deleted: pre-employment process will be terminated

Section 14.8: DRUG AND ALCOHOL TESTING OF EMPLOYEES BASED ON REASONABLE SUSPICION.

- A. The District will notify employees of this policy by:
 - 1. Providing to each employee a copy of the policy, and obtaining a written acknowledgment from each employee that the policy has been received and read.
 - 2. Announcing the policy in various written communications and in making policy-related presentations at employee meetings.
- B. The District may perform drug or alcohol testing:
 - 1. of any employee who manifests behavior that causes the District reasonably to believe the employee is under the influence;
 - 2. of any employee who is involved in an accident that the District reasonably suspects was caused by the employee's use of drugs or alcohol; or
 - 3. of any employee who is subject to drug or alcohol testing pursuant to federal or state rules, regulations or laws. [NOTE: If we don't employ any such individuals, then No. 3 should be deleted.]
- C. An employee's consent to submit to drug or alcohol testing when reasonable suspicion exists is required as a condition of employment.
- D. An employee who is tested in a "reasonable suspicion" situation may be placed on administrative leave pending receipt of written tests results and whatever other inquiry or investigation may be appropriate under the circumstances.

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Deleted: results or could result in the filing of a Workers' Compensation claim

Deleted: and the employee's refusal to consent may result in disciplinary action, including discharge, for a first refusal or any subsequent refusal

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[NOTE: Random testing is generally not permissible in California, unless the employee is subject to some statutory authority that requires this testing.]
Section 14.10: TESTING PROCEDURES. [NOTE: Instead of including this level of detail in the general policy, I recommend maintaining a separate "testing procedures" brochure that you provide to affected employees at the time of testing. This would encompass both Section 14.10 and 14.11.] The District contracts with a competent medical facility to conduct drug and alcohol testing. [NOTE: The foregoing assumes the testing facility is already in place.] Chain of custody is maintained, and the procedures shall generally be along the following lines:

Deleted: Section 14.9: RANDOM TESTING OF CERTAIN EMPLOYEES. The District has determined that all positions, including those that operate heavy equipment or potentially dangerous equipment, are subject to random testing. The reasons and positions shall be established by separate list and may change from time to time as job duties change. The General Manager shall have the authority to make changes to the list....

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- A. ALCOHOL TESTING.

1. Alcohol testing will be conducted through the Lake County Sheriff's Department or St. Helena Job Care/facility. [NOTE: These don't sound like medical facilities ...]
2. A screening test will be conducted first. If the result is an alcohol concentration level of less than 0.02, the test is considered a negative test. If the alcohol concentration level is 0.02 or more, a second confirmation test will be conducted.

B. DRUG TESTING.

1. A urine specimen will be split into two bottles, generally labeled as "primary" and "split" specimen. Both bottles will be sent to the lab;
2. If the urinalysis of the primary specimen tests positive for the presence of illegal, controlled substances, the employee has 72 hours to request that the split specimen be analyzed by a different certified lab;
3. The urine sample will be tested for the following: marijuana, cocaine, opiates, amphetamines, and phencyclidine [NOTE: Confirming that testing is still done for marijuana, despite its legal status in California?];
4. If the test is positive for one or more of the drugs, a second, confirmation test will be performed;
5. All drug test results will be validated, reviewed and interpreted by a physician (medical review officer or MRO) before they are reported to the employee and then to the employer agency;
6. With all positive drug tests, the physician (MRO) will first contact the employee to determine if there is an alternative medical explanation for the positive test result. If documentation is provided and the MRO determines that there was a legitimate medical use for the prohibited drug, the test result may be reported to the employer as "negative."

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Section 14.11: APPEAL OF DRUG OR ALCOHOL TEST RESULT.

- A. An applicant or employee whose drug or alcohol test reported positive will generally be offered the opportunity of a meeting to offer an explanation for the result. [NOTE: Consider whether we really want to offer such a meeting to an applicant.] The General Manager will determine whether an offered explanation merits further inquiry.
- B. An employee whose drug or alcohol test is reported positive will be offered the opportunity to:
 1. Obtain and independently test, at the employee's expense, the remaining portion of the urine specimen that yielded the positive result;

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2. Obtain the written test result and submit it to an independent medical review at the employee's expense.

Section 14.12: INSPECTION AND SEARCHES.

[NOTE: I recommend we make this a more general inspections policy by taking it out of the drug testing section.]

A. The District may conduct unannounced general inspections and searches for, e.g., illegal drugs or contraband on District premises, or in District vehicles or equipment wherever located. The District has the right to search and inspect all District property, including but not limited to lockers, storage areas, desks, furniture and other places under the common control of the District or joint control of the District and employees. In addition, the District reserves the right to search employee belongings brought onto District property, including but not limited to purses, backpacks, cars/trunks, etc. Employees are expected to cooperate in any such searches, and do not have any expectation of privacy in any District building, property or communications system, including but not limited to lockers, desks, offices, etc.

B. ▼

D. ▼

E. ▼

SECTION 15 - TOBACCO USE AND SMOKING POLICY

Tobacco product use is prohibited in all District-owned or leased buildings, properties or vehicles. Tobacco product use is also prohibited by District employees while on duty and representing the District.

For the purpose of this policy "tobacco product use" includes any use of any tobacco product such as cigarette, cigar, chewing tobacco, pipe, electronic nicotine delivery system (i.e. e-cigarettes) vapor products (aka "vaping") or related devices.

SECTION 16 – FIREARMS POLICY

While traveling on District business, or working on or off District premises, or being on/in District-owned buildings, properties, or vehicles, employees are expressly forbidden, for any reason, from carrying firearms of any kind on their person or in their vehicles, whether District-owned or private.

SECTION 17 – DISTRICT ELECTRONIC RESOURCES, SOCIAL MEDIA, CELL PHONE & DISTRICT WEB PAGE POLICY AND PROCEDURES.

A. PURPOSE.

The purpose of the District Electronic Resources Policy and Procedures is to establish uniform guidelines for [District?] computer and [District?] cell phone usage by employees, including their use of related Internet and e-mail applications.

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C. Illegal drugs, drugs believed to be illegal and drug paraphernalia found on District property will be turned over to the Lake County Sheriff's Department and the full cooperation will be provided to any subsequent investigation.¶

Deleted: Other forms of contraband, such as firearms, explosives and lethal weapons, will be subject to seizure during an inspection or search. An employee who is found to possess contraband on District property or while on District business will be subject to discipline up to and including termination.

Deleted: If an employee is the subject of a drug-related investigation by District or by a law enforcement agency, the employee may be placed on administrative leave pending completion of the investigation....

Deleted: Section 14.13: CONFIDENTIALITY. All information relating to drug or alcohol testing, or the identification of persons as users of drugs and alcohol will be protected by District as confidential unless otherwise required by law, overriding public health and safety concerns, or authorized in writing by the persons in question.¶

Deleted: The health and rights of all HVLCSO employees and the public are to be protected from unhealthful conditions.¶

Moved down [1]: For the purpose of this policy "tobacco product use" includes any use of any tobacco product such as cigarette, cigar, chewing tobacco, pipe, electronic nicotine delivery system (i.e. e-cigarettes) vapor products (aka "vaping") or related devices.

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B. POLICY.

1. District computers, fax machines, and internet licenses are provided for District business and are not to be used for purposes other than District business. All data, files, documents, and electronic messages, etc., that is maintained, transmitted, created, or received on the District electronic communications systems ("District E-systems"), including information accessed via the Internet and sent or received through electronic mail (e-mail) systems, is the property of the District. As the District maintains full access to all this information on its E-systems, employees should not have any expectation of privacy with respect to any of this information. [NOTE: What is the purpose of the next two sentence? I recommend they be deleted.]

2. Employees should have no expectation of personal privacy in any use of District E-systems, including e-mail and Internet usage. The District may, at any time, review, access, or monitor the contents of all records, data and communication transmitted, received, created, and/or stored on its electronic systems.

3. [NOTE: Assuming this is not actually an issue for the District, I recommend deleting the below.]

4. [NOTE: Goes without saying.]

5. [NOTE: This is a subject for a separate agreement with the affected employee, not part of a general policy.]

6. Examples of Prohibited Uses

The District's E-systems may not be used in any manner that violates any District policy, specifically including but not limited to the policies prohibiting unlawful harassment and discrimination and prohibiting workplace violence.

b.

c. Using District computer systems for private purposes, personal gain, solicitation of commercial ventures, or other non-job-related purposes. The sole exception to this is as described in subsection 7, below.

d. Downloading or installing software which has not been approved by the District and scanned for viruses.

e. Sending unencrypted confidential documents via the Internet.

f. Any other use that may compromise the integrity of the District and its business in any way.

g. [NOTE: This is probably not an issue for the general employee population.]

Deleted: personal gain, private purposes (see subsection 6), or to support or advocate non-District –related business or purposes

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Deleted: All records whether paper or electronic, may be subject to the disclosure requirements of The California Public Records Act and are not considered private. ...

Deleted: Notwithstanding the foregoing, e-mail should only be used for the transmission of information and should not be used for preserving information for future reference. Information to be retained may be stored electronically on the system/network and/or may be converted to a hard copy and archived in a District physical file cabinet.

Deleted: There is

Deleted: computer systems and software

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Deleted: Any indication of a violation of this policy is subject to management review. This review may include accessing and disclosing all electronic documents, information and messages including e-mail and Internet records.

Deleted: The District purchases, owns and administers the necessary software and licenses and cell phones to provide access to e-mail and Internet services and real time communications in the office, in the field and for emergency communications. Users may not rent, copy or loan District software or its documentation, nor provide alternative software to access the system. Users may be subject to discipline for any damages caused by negligence, and unauthorized software or viruses they introduce in the system....

Deleted: The District is not responsible for items originating from the Internet and reserves the (... [28]

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Deleted: District laptop and tablet use requires completion of release and return forms. ¶ (... [29]

Deleted: Using the Internet to view, obtain or disseminate any sexually¶ (... [30]

Deleted: Using the Internet and/or e-mail systems to send or distribute . disruptive, offensive, a (... [31]

Deleted: religious or political causes, . chain letters, ...

Deleted: (except as described in subsection 6 below)...

Deleted: E-mail should not be used for sensitive attorney-client communications

7. Limited employee personal use of District E-systems may be allowed. This use is only permitted during employee personal time (e.g., break time and meal periods). Examples of limited personal use that may be permitted includes educational enhancement and personal communications which conform to the above prohibited uses. Any personal use must not:

- (i) interfere with or impede District operations;
- (ii) interfere with or impede the employee's work duties or other obligations to the District; or
- (iii) burden the District with any noticeable cost.

8. ▼

9. [NOTE: These are IT Admin guidelines only – should not be in the general policies.]

10. [NOTE: I recommend against this practice.]

11. ▼

C. PROCEDURES.

1. Passwords

a. Employees whose job duties require them to handle confidential District matters on District E-systems will define their own confidential password. Employees should be aware that this does not imply that the system may be used for personal communication or that e-mail is the property of the user. In fact, employees are required immediately to advise the IT Administrator in writing of any password they use to gain access to District E-systems, as well as any changes to such password.

b. [NOTE: This is too much detail for a general policy.]

2. Internet and E-mail Access

a. Access to the District E-systems, including Internet and e-mail, is restricted to those employees who have been provided the necessary software and hardware and who have been authorized by the District to access District E-systems. The District may deny or restrict District E-systems access to any employee at any time.

b. When using District E-systems, employees are cautioned to remember they represent the District, and to act accordingly.

c. ▼

Deleted: To promote employee computer and Internet proficiency and as an employee benefit, certain...

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Deleted: The acquisition of personal computer hardware and software shall follow the normal budgetary and purchasing procedures, ensuring budget authorization is in place. Requests for acquiring hardware and software shall be recommended to the IT administrator for evaluation and . recommendation.

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Deleted: For Equipment operation and maintenance, the District IT Administrator shall:¶

Deleted: ¶ evaluate District functional needs and recommend options;¶

¶ evaluate reliable software and hardware requiring minimum technical support that is user-friendly, easy to use and enhances District productivity;¶

... [32]

Deleted: Security: The General Manager mu... [33]

Deleted: All data saved on District work stati... [34]

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Deleted: Employees may not speak for the... [36]

Deleted: E-mail and Internet messages ca... [37]

3. Electronic Document, Software and Mail Storage [NOTE: Consider whether we actually need to include the level of detail in this subsection 3.]

- a. Electronic mail on the District's E-systems is backed-up on a regular basis. It is synchronized with the server on every start-up and shut-down. The District back-up procedures allow the District to restore current software, documents and electronic mail in the event of a system failure.
- b. Electronic mail is not intended to be a permanent storage medium. Electronic in-boxes and out-boxes should be archived or purged on a regular basis. The District may, in its discretion, purge long-term mail on an automatic basis.
- c. To save critical electronic mail as a permanent record, employees should save the file in the District's electronic filing system Questys.

4. [NOTE: The IT Admin should set this up for employees, so it does not need to be spelling out in the general policy.]

Section 17.1.: SOCIAL MEDIA USE/SOCIAL NETWORKING [?].

[NOTE: The purpose of this policy in a general employee handbook is unclear. It does not appear to have generalized application.]

A. PURPOSE. The policy outlines the protocol and procedures for use of social media on District work time [?]. In addition, this policy addresses the responsibilities of individual employees and District officials with regard to social media and the use of District resources (time/equipment). This policy also focuses on social networking as it relates promoting connections for official District business and for employees, elected and appointed officials who are using this medium in the conduct of official District business. [NOTE: Copied from below. Accurate?]

B. DEFINITIONS.

- 1. Social Media: Various forms of electronic discussions and information-sharing, including social networks, blogs, video sharing, podcasts, message boards, and online forums. [NOTE: Consider whether we really need to include the remainder of this paragraph.] Technologies include: picture-sharing, wall-postings, fan pages, e-mail, instant messaging and music-sharing. Examples of social media applications include but are not limited to, Google, and Yahoo Groups, (reference, social networking), Wikipedia (reference), Facebook (social networking), YouTube (social networking and video sharing), Flickr, (photo sharing), Twitter (social networking and microblogging), LinkedIn (business networking), and news media comment sharing/bloggng.
- 2. Social Networking: the practice of expanding business and/or social contacts by making connections through web-based applications.

Deleted:)

Deleted: Information Block: E-mail sent outside the District should include an information block at the end of all transmitted messages. The block should include the sender's name, title, company name, direct telephone number, FAX number and e-mail address....

Moved (insertion) [2]

Deleted:), as well as responsibilities related to the public records and open meeting laws

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Moved up [2]: This policy focuses on social networking as it relates to the Internet to promote such connections for official District business and for employees, elected and appointed officials who are using this medium in the conduct of official District business.¶

C. POLICY.

1. [NOTE: This looks like guidelines for the District's IT person/group, rather than a general employee policy. Consider deleting.] The District's web site, www.hvlcsd.org, will remain the official location for content regarding District business, services and events. Whenever possible, links within social media formats should direct users back to the District web site for more information, forms, documents or online services necessary to conduct business with the District.
2. District employees shall not disclose information about confidential District business on personal social media sites. [NOTE: Presumably, this handbook is not provided to elected/appointed officials, and so the foregoing sentence should not be included here.]
3. Posting/ Commenting Guidelines
 - a. The District reserves the right to remove content [from its own website? No need to reserve that right.] that is deemed in violation of this policy or any applicable law.
 - b. [NOTE: This only needs to be a guideline for the employee responsible for collecting/maintaining this information. It should not be in a general policy.] Direct messages sent to social media accounts will be treated as general correspondence and kept in accordance with retention schedules provided by the District's Records Retention Program.
 - c.
 - d. [NOTE: See Related Note at subsection b above.] Links to all social media networks to which the District belongs will be listed on the District's official website. Interested parties wishing to interact with these sites will be directed to visit the District's web site for more information on how to participate.
 - e. [NOTE: No need to include this in a policy. Goes without saying.]

D. PROCEDURES.

1. [NOTE: These GM guidelines should not be in a general policy.]

E. RESPONSIBILITIES.

[NOTE: Let's discuss the purpose of this policy. It does not appear to have general application.]

- 1.

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Deleted: In addition, all use of social media sites by elected and appointed officials shall be in compliance with California's open meeting laws.

Deleted: Employees and elected or appointed officials' posts are a reflection of their own views and not necessarily those of the District.

Deleted: Any participants on the District's official social media sites who are in continual violation of the postings/commenting guidelines may be removed from the District's site. The District will only post photos for which it has copyright or owner's permission to use.

Deleted: Chat functions in any social media sites will not be used....

Deleted: The District reserves the right to temporarily or permanently suspend access to official District social media at any time.

Deleted: The General Manager or his/her designee will be responsible for responding to comments and messages as appropriate whenever possible. The District will direct users back to the District's official web site for more information, forms, documents or online services necessary to conduct business with the Hidden Valley Lake CSD.

Deleted: It is the responsibility of employees, and appointed and elected officials to understand the procedures as outlined in this policy.¶

¶
2. Employees who are not designated by the General Manager to access social media sites for official business are prohibited from accessing social media sites utilizing the District computer equipment and/ or the District's web access. While at work, employees who are not granted access via District systems and computing equipment may use personal computing devices and personal web accounts to access social media sites only during non- working hours such as lunch periods and breaks.¶

¶
3. The General Manager will determine if a request is appropriate and adheres to the guidelines of this policy.¶

¶
4. All social media-based services to be developed, designed, managed by or purchased from any third-party source for use requires appropriate budget authority and approval from the Board of Directors.