



Topic: Authority Board Agenda Item 1-2

2019 November 25

Subject: Authority Employee Handbook

Requested Action:

Discussion on the process to finalize the proposed Authority Employee Handbook.

Detailed Description/Background:

The Authority's has begun the process to transition into becoming an employer agency through the creation of an Ad Hoc Employment Committee. They have developed an Employee Handbook; which will be used, in part, to retain qualified employees who will support the Authority Board in accomplishing its mission. This document will also serve as the basis to define the required benefit programs and to develop related policies and procedures.

Prior Authority Board Action:

The Chair of the Ad Hoc Policy and Governance Committee's reported at the Authority's October 21, 2019 meeting, that a draft version would be distributed to the Board members for consideration and to obtain feedback at the November 25, 2019 meeting. A draft was electronically distributed on October 22, 2019. This same version was also distributed to key staff, who have also provided comments.

Fiscal Impact/Funding Source:

None.

Staff Contact:

Fritz Durst/Jamie Traynham

Attachments:

Attachment A: Sites JPA Employee Handbook-Draft.



TABLE OF CONTENTS

	Page
I. INTRODUCTION	
A. PURPOSE.....	5
B. HANDBOOK REVISIONS.....	5
C. OPEN DOOR POLICY	5
D. EQUAL EMPLOYMENT OPPORTUNITY	6
E. EMPLOYMENT AT WILL	6
F. EMPLOYMENT APPLICATION.....	6
G. PRE-EMPLOYMENT MEDICAL EXAMINATIONS AND DRUG TEST.....	6
H. PERSONNEL INFORMATION	7
II. EMPLOYEE CATEGORIES	
A. EMPLOYEE CLASSIFICATIONS.....	7
B. POLICY REGARDING EXEMPT EMPLOYEES	8
C. NEW EMPLOYEE ORIENTATION.....	9
D. INTRODUCTORY PERIOD.....	9
E. EMPLOYMENT OF RELATIVES	9
III. CHANGES IN EMPLOYMENT	
A. PROMOTIONS/TRANSFERS.....	10
B. TEMPORARY UPGRADES/TRANSFERS	10
IV. HOURS OF WORK, COMPENSATION, OVERTIME AND PAYDAY	
A. WORK SCHEDULE/ALTERNATE SCHEDULES.....	10
B. BREAKS AND MEAL PERIODS	11
C. WAGE SCHEDULE FIELD EMPLOYEES.....	11
D. OVERTIME.....	11
E. ON-CALL DUTY.....	12
F. EMERGENCY CALLBACK PAY	12
G. PAY ADVANCES.....	12
V. PLACE AND TIME FOR PAYMENT OF WAGE	
A. TIME SHEETS AND REQUEST FOR TIME OFF	12
B. PAY PERIOD/PAY DAY	13
C. PAY DEDUCTIONS	13

TABLE OF CONTENTS

(continued)

	Page
VI. BENEFITS	
A. ELIGIBILITY OF BENEFITS	13
B. HOLIDAYS	14
C. VACATION.....	14
D. SICK LEAVE	15
E. RETIREMENT PROGRAM	17
F. TAX DEFERRED COMPENSATION PROGRAM.....	17
G. EDUCATION	17
VII. BENEFITS	
A. INSURANCE AND BENEFIT PLANS	18
VIII. LEAVES OF ABSENCE	
A. INTRODUCTION	18
B. FAMILY CARE, MEDICAL AND MILITARY FAMILY LEAVE.....	18
C. PERMISSIBLE USES	18
D. SUBSTITUTION OF PAID LEAVE	20
E. AMOUNT OF LEAVE.....	20
F. LEAVE'S EFFECT ON PAY.....	21
G. LEAVE'S EFFECT ON BENEFITS	22
H. PROCEDURE FOR REQUESTING FAMILY CARE, MEDICAL, AND MILITARY FAMILY LEAVE.....	22
I. DESIGNATION OF PROTECTED LEAVE	24
J. RECERTIFICATION	24
K. RETURN TO WORK CERTIFICATION.....	24
L. LEAVE'S EFFECT ON REINSTATEMENT.....	25
M. PREGNANCY-RELATED DISABILITY RIGHTS.....	25
N. CALIFORNIA NEW PARENT LEAVE.....	27
O. OTHER DISABILITY LEAVES	28
P. OTHER LEAVES OF ABSENCE.....	28
Q. PERSONAL LEAVES OF ABSENCE	30
R. SCHOOL ACTIVITY LEAVE.....	30

TABLE OF CONTENTS

(continued)

	Page
S. BEREAVEMENT LEAVE.....	30
T. JURY DUTY	31
U. WITNESS DUTY	31
V. VOTING	31
W. LEAVE RELATED TO DOMESTIC VIOLENCE, SEXUAL ASSAULT, OR STALKING	32
X. CRIME VICTIMS' LEAVE.....	32
IX. EMPLOYEE CONDUCT	
A. PROFESSIONAL APPEARANCE AND UNIFORMS.....	33
B. ATTENDANCE.....	33
C. TRAVEL AND REIMBURSEMENT OF EXPENSES	34
D. OUTSIDE EMPLOYMENT.....	35
E. OFF-DUTY CONDUCT/CONFLICT OF INTEREST.....	35
F. CELLULAR PHONE/WIRELESS DEVICES.....	36
X. TECHNOLOGY USE AND SECURITY	37
XI. SOFTWARE USE	
A. LICENSE RESTRICTIONS.....	41
XII. SOCIAL MEDIA POLICY	
A. STATEMENT OF POLICY	43
B. GUIDELINES.....	43
XIII. PERSONAL USE OF FACILITIES AND TOOLS	45
XXIV. AUTHORITY VEHICLES.....	46
XXV. PREVENTATIVE MAINTENANCE FOR VEHICLES, EQUIPMENT AND TOOLS.....	47
XXVI. SMOKING IN AUTHORITY BUILDINGS, VEHICLES AND EQUIPMENT.....	48
XXVII. RULES OF CONDUCT, DISCIPLINE AND TERMINATION	
A. JOB PERFORMANCE EVALUATIONS.....	48
B. EMPLOYEE CONCERNS/PROBLEM RESOLUTION.....	49
C. EMPLOYEE CONDUCT.....	49
XXVIII. EMPLOYMENT AT WILL.....	50
XIX. POLICY AGAINST HARASSMENT	50

TABLE OF CONTENTS
(continued)

	Page
XX. WORK PLACE VIOLENCE	
A. FIREARMS IN THE AUTHORITY	52
B. DEFINITIONS.....	53
C. EXEMPTIONS	53
D. REPORTING WEAPONS IN THE BUILDING	53
XXI. DRUG AND ALCOHOL POLICY	
A. PURPOSE OF GUIDELINE	53
B. DEFINITIONS.....	54
C. PROHIBITED CONDUCT	54
D. DISCIPLINARY ACTION.....	55
E. DRUG-FREE AWARENESS PROGRAM.....	56
F. USE OF LEGAL DRUGS	56
G. UNREGULATED OR AUTHORIZED CONDUCT	56
H. CONFIDENTIALITY.....	57
I. COUNSELING/EMPLOYEE ASSISTANCE	57
J. DRUG TESTING.....	57
K. TERMINATION OR RESIGNATION	58
L. FINAL PAYCHECK	59
M. EXIT INTERVIEW AND RETURN OF AUTHORITY PROPERTY	59
N. BENEFITS	59

I. INTRODUCTION

A. PURPOSE

Pursuant to the Joint Exercise of Powers Act (“Act”), California Government Code Section 6500 et seq., a public entity was created known as the Sites Project Authority (“Authority”). The purpose of this Authority is to effectively study, promote, develop, design, finance, acquire, construct, manage, and operate Sites Reservoir and related facilities such as recreation and power generation. The Authority’s mission is to see this project completed in order to increase and develop water supplies; to improve the operation of the state’s water system; and to provide a net improvement in ecosystem and water quality conditions in the Sacramento River system and the Delta.

In the pursuit of reaching the above stated goals, it is our sincere desire to provide a beneficial and stimulating environment that will promote competence and stability in the workplace. This Employee Handbook has been prepared to give you an understanding of the general principles under which we function. The Handbook is designed as a guide to the benefits, rules and important policies of the Authority. However, this Handbook is informational only, and is not an employment contract.

Changed circumstances may require that the policies, practices and benefits described in this Handbook be modified or updated. Consequently, the Authority reserves the right to amend, supplement or rescind any provision of this Handbook at its sole discretion and without advance notice. As policies and benefits are revised, modified or updated, pages signed by the Manager will be distributed to you for substitution of pages in your Handbook.

B. HANDBOOK REVISIONS

The Authority reserves the right to make changes to this handbook and to any employment policy, practice, work rule, or benefit, at any time without prior notice, except for any written arbitration agreement with an employee, which can only be changed in accordance with its express terms. Employees’-at-will employment can only be changed as stated in the separate Employment at Will Policy contained in this handbook. Any other change to this handbook or any employment policy, practice, work rule, or benefit is effective only if it is in writing, and is signed or authorized by the Authority Board of Directors. Except as otherwise provided in this handbook, no one has the authority to make any promise or commitment contrary to what is in this handbook.

This handbook replaces all earlier handbooks and supersedes all prior policies, practices, and procedures.

C. OPEN DOOR POLICY

The Authority promotes an atmosphere in which you can talk freely with management. You are encouraged to openly discuss with your Supervisor and/or Superintendent any problems so appropriate action may be taken. If they cannot be of assistance, the General Manager is available for consultation and guidance. The Authority is interested in all of its employees’ success and happiness.

D. EQUAL EMPLOYMENT OPPORTUNITY

It is the continuing policy of the Authority to provide equal employment opportunities for all individuals who have the necessary qualifications with respect to recruitment hiring, performance appraisal, promotion, training, termination, compensation, or other personnel-related activities regardless of the actual or perceived ancestry, national origin, race, color, religion, religious creed (including religious dress and grooming practices), sex (including pregnancy, childbirth, breastfeeding, and related medical conditions), gender, gender identity and expression, sexual orientation, marital status, age (40 and over), genetic information, medical condition, veteran/military status, physical or mental disability (including HIV and AIDS), denial of Family and Medical Care Leave or any other consideration made unlawful by federal, state, or local laws. All employee decisions will be based upon policies and practices that further the principles of equal employment opportunity.

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

E. EMPLOYMENT AT WILL

All employees are hired on an “at will” basis. This means that you are free to terminate your employment with the Authority at any time, with or without notice and with or without cause, and the Authority has the right to terminate your employment at any time, with or without notice and with or without cause. At the end of this Handbook you will find a copy of an “at will” Employment Agreement. Please read this carefully, sign and return to the HR Coordinator. An additional copy is provided for your records.

No one other than the Board of Directors can make any agreement or representations contrary to this policy. The Authority’s policy of “at will” employment may be changed only in writing and signed by the President of the Board of Directors.

Apart from the policy of at will employment and those policies required by law, the Authority may change the policies or practices at any time with or without advance notice.

F. EMPLOYMENT APPLICATION

The Authority relies upon the accuracy of information contained in the employment application and other data presented throughout the hiring and employment process. Any misrepresentation, falsification, or material omission in any of this information or data may result in exclusion of the individual from further consideration for employment, or termination of employment if the Authority hired the individual.

G. PRE-EMPLOYMENT MEDICAL EXAMINATIONS AND DRUG TEST

All positions within the Authority require an applicant to successfully complete a medical exam, at the cost of the Authority. It is the Authority’s intention to protect both the prospective employee and the Authority from the consequences of placing individuals in jobs that might impair their health. The Authority will use the exam only to determine whether the applicant can perform the essential functions of the job. Such an exam will only occur after the Authority makes a conditional offer of employment.

All applicants for positions which have been designated by the Authority as safety-sensitive will also be required to undergo and pass a post-offer pre-employment drug screen.

Any offer of employment may be conditioned upon passing a drug test, background check and designation of “medically qualified” through a pre-employment physical exam and other conditions which will be set forth in the offer letter.

The Authority will require employees in job classifications that require a Class A or B driver’s license, applicable to farm vehicles and most heavy vehicles with three or more axles, to submit to a medical examination to comply with licensing requirements.

H. PERSONNEL INFORMATION

The Authority maintains a file for every employee. The file contains information pertaining to the employee’s employment with the Authority. The information in an employee’s personnel file is confidential and must be kept up to date. Employees should inform their Supervisor or the Office immediately whenever there are changes in personal data such as address, telephone number, person(s) to notify in case of an emergency, marital status or dependents. Employees have the right to inspect their personnel files at reasonable times, and on reasonable notice. In addition, employees have the right to receive a copy of the contents of their personnel file upon request. Employee should submit such requests to the HR Coordinator. Personnel files are the property of the Authority and may not be removed from the Authority’s premises without written authorization from the General Manager.

II. EMPLOYEE CATEGORIES

A. EMPLOYEE CLASSIFICATIONS

Every employee should be familiar with their employment status. There are six status positions which relate to employee benefits and eligibility for leaves:

a. Full-time. A full-time employee is one who fills an established job classification position and is regularly scheduled and does work thirty hours or more during the standard work week for an unspecified period of time. Full time employees are eligible for employee benefits as described later in this Handbook.

b. Part-time. A part-time employee is one who fills an established job classification position and is regularly scheduled and does work less than thirty hours per week, for an unspecified period of time. Part-time employees are not eligible for employee benefits except as specifically described herein.

c. Introductory. An introductory employee is a full-time employee or part-time employee who has not completed six (6) months of employment with the Authority.

d. Temporary. A temporary employee is one who is hired to fill a short-term position for a specific period of time. Regular temporary employees are limited to six months on the job for full-time employment (30 hours or more per week) or 1,000 hours or 125 days in a fiscal year. Temporary employees are not eligible for employee benefits except as specifically described herein. Temporary employees will be paid holiday pay based on their normal work hours.

e. Rehired Employees. Employees who are rehired following a break in service in excess of one (1) year, other than an approved leave of absence, must serve another initial introductory period whether or not such a period was previously completed. Such employees are considered new employees from the effective date of their re-employment for all purposes, including the purposes of measuring benefits, with the exception of the Retirement Program. Any rehired employee that had participated in the retirement program will be eligible for retirement benefits immediately upon rehire.

f. Exempt/Non-Exempt Employee. Exempt employees, by definition, are exempt from earning overtime compensation. Nonexempt employees are employees who are eligible to be paid for overtime work in accordance with the provisions of applicable wage and hour laws. Overtime pay requirements are set forth in the section of this Handbook/Manual entitled “Hours of Work, Overtime, and Pay Day.”

g. Salaried Employees. Salaried employees are employees who are paid a fixed amount on a periodic basis and not by the hour.

h. Hourly Employees. Hourly employees are employees whose wages are paid by the hour. Their wages fluctuate according to the number of hours they work.

B. POLICY REGARDING EXEMPT EMPLOYEES

Employees who are characterized by the Authority as exempt from the overtime provisions of state and federal law are paid a salary that is intended to fully compensate them for all hours worked each week, however few or many those hours are. The salary consists of a predetermined amount constituting the exempt employee’s compensation. That amount is not subject to a reduction because of variations in the quality or quantity of the employee's work. As a general rule, an exempt employee’s salary is not subject to deductions. Exceptions to the general rule will apply only when they are expressly authorized under applicable state and federal laws. This may occur, for example, when an employee has exhausted all accrued vacation benefits and misses additional full days of work for personal reasons. No deductions will be made unless they are permitted by the regulations issued under the Fair Labor Standards Act and any applicable state laws.

Any employee who believes that an improper deduction or a violation of the laws regulating salaries has occurred is encouraged to advise the Human Resources supervisor as soon as possible. The matter will be promptly investigated and, if the mistake occurred, corrected. Employees may file complaints without fear of any retaliation.

C. NEW EMPLOYEE ORIENTATION

As a new employee you will be provided a formal orientation that will include: introduction to administrative staff, an initial meeting with your immediate supervisor, a tour of the Authority's Headquarters and a tour of the areas and facilities the Authority serves. Specialized training will be provided as needed for your position as well as the items outlined in the Employee Handbook.

D. INTRODUCTORY PERIOD

New and rehired employees are considered Introductory Employees for the first six (6) months after their date of hire. The Introductory or working test period is: (1) an integral part of the examination process and provides an opportunity to observe closely the employee's work; and (2) in place to secure the most effective adjustment of a newer, promoted employee to his/her position.

Your Supervisor will review your performance after you have been employed six (6) months to determine if you have completed your introductory period satisfactorily and should be promoted to full time status.

At the Authority's discretion, an employee's introductory period may be extended one or more times. On successful completion of the introductory period, an employee will become a regular employee. Successful completion of the introductory period does not alter the employee's "at-will" status or guarantee employment for any specific duration.

E. EMPLOYMENT OF RELATIVES

The Authority's policy is to hire, promote, and transfer employees on the basis of individual merit and to avoid any hint of favoritism or discrimination in making such decisions. Even if favoritism or discrimination is not shown, the existence of the situation may precipitate a perception where questions may be difficult to answer or may cause some discomfort for the individuals involved.

The Authority may refuse to hire relatives of present employees if doing so could result in actual or potential problems in supervision, security, safety, or moral or if doing so could create potential conflicts of interest. The Authority defines "relatives" as spouses, registered domestic partners, children, siblings, parents, in-laws, step-relatives, or whose relationship with the employee is similar to that of persons who are related by blood or marriage, including cohabitation.

a. Marriage or Development of Involved Personal Relationships While Employed. If two persons should marry while both are employed by the Authority, they may continue their employment in the same job provided that such employment does not adversely affect safety, morale, security, internal financial control, or supervision; and such spouses or relatives neither initiate nor participate in making institutional recommendations or decisions which would directly affect employment status of their partner.

If these criteria are not met, one of the spouses must change jobs, change Authority locations (change in crew or job assignment), or leave the Authority. The Authority will notify the couple whether or not they meet these criteria. Once notified, the couple will be required to decide within thirty (30) days of the notification as to which of the two of them will change positions. If

this decision is not made within 30 days, based upon its business needs, the Authority reserves the right to determine which employee will be transferred or whose employment will be terminated.

b. Exceptions. The General Manager may make an exception to this policy if it is found that:

- The position to be filled requires a person with specialized training and experience not generally available in the employment market;
- There is a vital Authority need to fill the position;
- Substantial bona fide efforts have been made to locate and employ such a person who is not a relative of any employee; and
- The relationship between the relative and the applicant or employee is unlikely to materially affect his or her employment by the Authority.

III. CHANGES IN EMPLOYMENT

A. PROMOTIONS/TRANSFERS

It is the Authority's intent to promote from within whenever possible. However, it is in the Authority's best interest to fill positions with the best qualified individual. When opportunities occur within the organization, promotions and transfers will be based upon an employee's qualifications and performance. In general, employees who have been at their present job assignment for at least six (6) months will be considered. Should there be two or more employees equally qualified for the promotion or transfer, the Authority may allow each employee a trial period before making a final decision.

B. TEMPORARY UPGRADES/TRANSFERS

Whenever temporary positions are available within the Authority or regular positions are filled on a temporary basis, it is the Authority's intent to give employees an opportunity to apply for such positions.

If management feels that none of the applying employees are fully qualified for the temporary position, he/she may recruit outside candidates with the qualifications necessary to fill the position.

If you do not agree with the management's decision on who was selected for the temporary upgrade, you should discuss this with your Superintendent. If resolution is not reached, the Superintendent should arrange to have you discuss the matter with the General Manager.

When the temporary positions end, it is the Authority's intent to give the employees who were temporarily advanced an opportunity to return to their former positions.

IV. HOURS OF WORK, COMPENSATION, OVERTIME AND PAYDAY

A. WORK SCHEDULE/ALTERNATE SCHEDULES

Employees are expected to be at work as scheduled, to arrange their personal schedules to accommodate established work hours, and to notify their supervisor, at least 24 hours in advance,

if possible, if they expect to be absent or tardy. Employees are to be at their assigned work station i.e. office, shop, plant or field location, ready to begin work at the beginning of each day and shall work through the scheduled work period at the assigned location(s).

Office Employees - The regular business hours of the Authority Office are Monday through Friday, 8:00 a.m. through 5:00 p.m., excluding holidays. The standard work week for office employees is forty (40) hours, eight (8) hours per day, allowing for a meal period of one hour but inclusive of two 10-minute breaks. Office personnel may work an alternative work schedule, such as four ten-hour days, if approved by management and does not impact office hours. It is important to note that the Alternative Workweek Schedule is not appropriate for all positions, or in all settings, or for all employees.

Maintenance Employees and Field Technicians - The standard work schedule for Maintenance employees and Field Technicians is Monday through Friday from 7:00 a.m. through 4:30 p.m. The standard work hours are forty-five (45) hours per week, nine (9) hours per day, exclusive of a 30-minute meal period with two 10-minute breaks. Weekly time is comprised of forty (40) hours of regular time and five (5) hours of overtime for employees who are not exempt from overtime.

B. BREAKS AND MEAL PERIODS

As a public agency, the Authority provides meal and rest breaks under the provisions of the Fair Labor Standards Acts. All employees will be provided meal and rest periods during each shift. A 30 minute meal period is provided and should be taken between the third and fifth hour of work. Employees who work more than 10 hours are authorized and permitted to take a second, unpaid meal period of 30 minutes. The lunch break may not be skipped either to shorten the workday or to make up time.

Non-exempt (hourly) employees are permitted to take one paid ten-minute rest break for every 4 hours worked or major fraction thereof. The ten-minute breaks cannot be consolidated. Non-exempt (hourly) employees who work an eight-hour day receive two paid 10-minute breaks, one in the morning and one in the afternoon. When practical, employees should take each rest period in the middle of the four-hour work period or major fraction thereof.

C. WAGE SCHEDULE FIELD EMPLOYEES

Field Employees shall be compensated for their services in accordance with the Wage Schedules established by the Authority which may be modified from time to time. Wage increases for all employees shall be considered in relation to annual performance evaluations as set forth in this Handbook under Section VII(E).

D. OVERTIME

As a public agency, overtime for Authority employees is regulated by the Fair Labor Standards Act ("FLSA").

It is the policy of the Authority to avoid overtime beyond the standard work week. However, on construction projects and when emergencies arise, it may be necessary to have

employees work longer than the standard work hours. Overtime must be authorized in advance by the General Manger.

All nonexempt employees will receive overtime pay the rate of 1 ½ times the employee's regular rate of pay for all hours worked in excess of forty (40) in any one workweek.

Only those hours that are actually worked are counted to determine an employee's overtime pay. Compensated holidays, for example, are not hours worked and therefore are not counted in making overtime calculations unless the employee actually worked on the holiday.

a. Workweek and Workday. For purposes of calculating overtime, each workweek begins on Sunday and each workday begins at 12:01 AM, unless otherwise provided.

E. ON-CALL DUTY

All Maintenance employees and fieldmen are subject to being required to be on-call after hours, over weekends and holidays at times as designated by the Manager. Employees shall not receive extra compensation for on-call duty since all employees are subject to such on-call status and the Authority recognizes and compensates for such time through the wage schedule. Employees who are not required to remain within the Authority boundaries but are obliged to be readily accessible in case the Authority needs their services and should give notice of how they may be contacted. If an employee is actually called and needs to report while on call, the employee shall be compensated from the time of receiving the call until the completion of the work, including the time spent commuting. Employees will be compensated for hours actually worked at the Authority's request.

F. EMERGENCY CALLBACK PAY

Except as otherwise provided in this section, an employee who is called back to work after leaving his or her place of employment following the completion of the employee's work shift, shall be credited with compensation at a rate of time and one-half pay for the time worked with a minimum pay equivalent to two (2) hours at straight time. Such overtime shall be computed for work performed from the time of reporting at the place of work to the time of completion of the work at such place.

G. PAY ADVANCES

Neither pay advances nor extensions of credit on unearned wages will be provided to employees.

V. PLACE AND TIME FOR PAYMENT OF WAGE

A. TIME SHEETS AND REQUEST FOR TIME OFF

Time sheets are used as a means of accurately recording hours worked and calculating pay. They will be used to record daily activities including vacation, holidays, sick leave, absences and non-carpooling days. All employees must complete a time sheet, which must be approved by their supervisor before a payroll check is issued. **All Employees MUST record all time worked on your weekly time sheet, including time worked over or under your normal schedule and required meal breaks. TIME SHEETS MUST BE COMPLETED AT THE END OF EACH**

WORK DAY. A request form for time off must be submitted and approved by your Supervisor prior to taking time off.

It is important that the time sheets not be lost, falsified or mutilated. If there is a mistake on the time sheet, an employee should inform their supervisor, make and initial the necessary corrections. The supervisor will initial all corrections.

Any time-off noted on the Time Sheet should have a completed Time Off Request Form approved by the Supervisor and Deputy Manager. (Exhibit Sec III-B)

B. PAY PERIOD/PAY DAY

The standard work week begins at 12:01 a.m. Sunday and ends at 12 midnight the following Saturday. Pay will be computed and pay checks will be distributed on a bi-weekly basis, with payday occurring every other Tuesday. If a payday falls on a holiday, paychecks will be distributed on the last preceding work day. Paychecks will be issued no later than 4:30 p.m. The Authority pays through December 31.

If a regular payday falls during an employee's vacation, the employee may receive his or her earned wages before departing for vacation if a request is submitted to the Superintendent for field staff, or General Manager for office staff, at least one-week prior to departing for vacation.

C. PAY DEDUCTIONS

The law requires that the Authority make certain deductions from every employee's compensation. Among these are applicable federal, State, and local income taxes. The Authority must also deduct Social Security taxes from each employee's earnings and any wage garnishments when required to do so by official State or Federal court orders.

The Authority offers programs and benefits in addition to those required by law. Eligible employees may voluntarily authorize deductions from their pay checks to cover the costs of participation in these programs.

VI. BENEFITS

A. ELIGIBILITY OF BENEFITS

Full-time Employees begin accruing Vacation Time and Sick Time from date of hire. Accrued time is not booked until the end of the month earned. Employees working 30 hours or more, but less than 40, will be prorated based on the number of hours worked. In calculation of earned hours, days off that are covered with Vacation and Sick time will not decrease time earned.

Part-time and Temporary employees will earn Paid Sick leave benefits as described in that Policy below.

Full-time employees are eligible for participation in the Authority's healthcare benefit plan, and part-time employees are eligible to participate in the plan on a pro-rata basis. Temporary employees are not eligible. For more detailed information on eligibility for specific benefits, employees should see the Authority's Human Resources department.

B. HOLIDAYS

All regular scheduled full-time, part-time and seasonal employees are entitled to the following eight paid holidays each year:

New Year's Day	January 1
President's Day	Third Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Thanksgiving Day	Fourth Thursday in November
Christmas Eve	December 24
Christmas Day	December 25

Holidays which fall on a weekday (Monday through Friday) will be observed on the day of the holiday. If any of the above holidays fall on a weekend, the Authority may, at its discretion, declare the preceding or following weekday to be a paid holiday.

If a paid holiday falls during an employee's vacation period, that day will be paid as a holiday and not as vacation time.

When computing overtime pay, you do not receive credit for hours worked on holidays that are not actually worked.

Employees on unpaid leave of absence for any reason at the time of the holiday observance will be ineligible for holiday pay.

C. VACATION

The Authority recognizes the value of rest and relaxation and encourages employees to use all accrued vacation benefits. Only full-time employees are entitled to earn paid vacation as follows:

<u>Service Credit</u>	<u>Accrued Annually</u>	<u>Accrued Monthly</u>
First through 9 years	10 days/yr.	.833 days
Year 10 and after	15 days/yr.	1.250 days

The Manager has the authority to authorize additional vacation or compensation time with approval of the Personnel Committee and/or Board President

Regular full-time employees working less than 40 hours and more than 30 hours are prorated according to scheduled hours.

Vacation is accrued on a monthly basis as shown in the table above. Daily accrual equates to eight (8) hours for full-time Office Employees and nine (9) hours for full-time Maintenance Employees and Fieldmen. Vacation benefits are only available following the month accrued. Unused vacation may be carried forward annually, but an employee may not accrue more than 30

vacation days at any single point in time. Once an employee reaches the maximum amount of accrued vacation, no further vacation shall accrue until the employee uses a portion of his or her previously accrued vacation time.

Vacation time is paid at an employee's base pay rate at the time of vacation (Office Staff 40 hours per week, Field Staff 40 hours plus 5 hours overtime per week, for Field Staff, all additional overtime would be based on worked time).

Requested vacation time must be scheduled as far in advance as possible and must be approved by the Supervisor or General. Although efforts will be made to accommodate requests to take vacation at a specified time, the needs of the Authority must be considered when evaluating vacation requests.

All accrued vacation benefits shall be paid upon termination of employment.

D. SICK LEAVE

Sick leave is a form of insurance that employees accumulate in order to minimize the economic hardships that may result from out of the ordinary, unexpected, or emergency need to take time off, such as illness or injury to employees or their immediate family.

Paid sick leave may be used for the diagnosis, care (including preventive care), or treatment of an existing health condition of an employee and certain family members of the employee.

A family member includes a child, parent, spouse, domestic partner, grandparent, grandchild, or sibling. For purposes of this policy, a "child" means a biological or adopted child, a foster child, a step-child, a legal ward, or a child to whom the employee stands *in loco parentis*. Similarly, a "parent" under this policy means a biological or adoptive parent, a foster parent, a step-parent, an employee's legal guardian, a legal guardian of an employee's spouse or domestic partner, or a person who stood *in loco parentis* when the employee was a minor child.

Employees who are victims of domestic violence, sexual assault, or stalking also may use paid sick leave for treatment, assistance, and other purposes authorized by law.

Employees using paid sick leave must do so in minimum increments of two hours. Employees will be paid for sick leave not later than the payday for the next regular payroll period after the sick leave was taken. Finally, an employee will not be required to search for or find a replacement if the employee is taking paid sick leave under this policy.

a. Compensation For Sick Leave. Paid sick days ordinarily are paid at the employee's normal rate of pay earned during regular work hours. Accrued, unused sick leave is not paid out upon termination or resignation. However, employees separating from employment who are rehired within one year from the date of separation will have their previously accrued and unused paid sick days reinstated. The employee also will begin accruing paid sick leave upon re-hire (assuming the employee's bank is below the applicable cap). In addition, if the employee is re-hired within one year from the date of separation, any number of days that the employee

previously worked for the Authority will be credited toward the 90 calendar days that an employee must have worked for the Authority before being eligible to use paid sick leave under this policy.

b. Approval. If the need for paid sick leave is foreseeable (e.g., scheduled routine medical appointments), the employee must provide reasonable advance notice. If the leave is not foreseeable, the employee must provide notice of the leave as soon as practical. When requesting sick leave, employees should not disclose any private medical information or any other confidential personal information.

c. Non-Retaliation or Discrimination. The Authority strictly prohibits any form of retaliation or discrimination against an employee for attempting to use or using paid sick leave under this policy, and for any other reason prohibited by applicable law. Employees who believe they have been discriminated or retaliated against should report their concerns to the General Manager

Full-time Office Employees accrue paid sick leave at the rate of eight (8) hours per month. Field Staff accrue paid sick leave at the rate of nine (9) hours per month. Sick leave is accumulated on a monthly basis during each calendar month and is only available following the month earned.

Part-time, Seasonal and Temporary Employees earn sick leave on a prorated rate based on hours worked. Sick time is maintained for one year, if a Part-time, Seasonal or Temporary employee returns to work within a year, he retains sick time that he earned during his past year employment.

Sick leave benefits shall continue to accrue to a maximum of 30-days. No further useable sick leave shall accrue once an employee reaches this limit. However, employees will continue to accrue sick leave in the form of credit hours in excess of the 30-day limit through the end of the year. On the final payday of the year, employees who have accumulated sick leave credit hours will receive extra pay equal to one-half of their regular hourly pay rate for each sick leave credit hour.

Sick leave time-off will be deducted from accrued sick leave of no more than 9 hours per day. Employees who have no accrued sick leave may use either accrued vacation time or take leave without pay during a period of illness.

An employee who falsely claims illness will be subject to disciplinary action up to and including dismissal. Supervisors may request and the employee must furnish a statement of support from a licensed physician after an employee has been absent for three consecutive days. Employees are encouraged to consult a licensed physician for injuries and for any illness involving sick leave which exceeds two consecutive days.

Sick leave benefits may be used to supplement any payments that any employee is eligible to receive from State Disability or Workers' Compensation. The combination of any such disability payments and sick leave benefits cannot exceed the employee's normal weekly earnings.

If you are unable to report for work because of illness or injury, you must notify your supervisor prior to your scheduled work time as soon as possible, but no later than two-hours after your normal starting time. A phone call, email, or text message is acceptable providing you receive a response back from your supervisor. If you get sick at work, notify your supervisor prior to leaving work.

Sick time is required to be used for the three-day waiting period of a workers' compensation claim.

E. RETIREMENT PROGRAM

The Authority offers a Defined Contribution retirement plan to all full-time employees. Employees are eligible after one full year of continuous employment and will enter the Plan on October 1 or April 1 following your full year anniversary. This is fully funded by the Authority with no employee contributions. The Plan is intended to be a qualified retirement plan under Internal Revenue Code section 401(a). The Board will determine the contribution rate annually. Employees become fully vested after seven years of credited service. For a copy of the full Plan, contact the office.

There is no mandatory retirement age for Authority employees. Employees who wish to retire must notify the Manager in writing of their intention to retire at least ninety (90) days prior to the effective date of retirement. Eligible participating employees should consult the Retirement Program administrators for information regarding specific benefits and options which will become available upon retirement.

Employees with **10 years** or more of continuous employment with the Authority will receive a bonus upon retirement in the amount of **one hundred dollars (\$100) for each full year of employment.**

F. TAX DEFERRED COMPENSATION PROGRAM

The Authority provides the opportunity for all employees to enroll in a payroll tax deferral plan called, "Deferred Compensation 457". All contributions to this plan are made by the employee on a voluntary basis. Contributions are made by payroll deduction. Such amounts deducted are not included currently in your taxable income. Thus, if you elect to participate in this plan and have amounts deducted from your pay, you will see a reduction in salary, but not to the extent of the total amount deducted.

The tax benefit to the employee is that Compensation deferred under the plan, together with all earnings (interest) on such contributions, are subject to Federal and State income taxes only in the year in which such amounts are paid or made available to you or your beneficiary. Check IRS for annual maximum contribution amounts and withdrawal rules and regulations.

G. EDUCATION

The Authority will pay the expenses for job-related education required by the Authority. Any proposed educational benefits not strictly required by the Authority must be submitted and approved by the Manager if the expenses are to be reimbursed.

VII. BENEFITS

A. INSURANCE AND BENEFIT PLANS

The Authority provides the following mandated benefits for all employees in compliance with various State and federal rules and regulations: Social Security Insurance, Unemployment Insurance, State Disability Insurance, Workers' Compensation Insurance. In addition, the Authority provides benefits such as health, dental and vision insurance, life insurance and retirement benefits to eligible employees and dependents. For more information on these programs and eligibility requirements, employees should contact the Authority Human Resources supervisor.

VIII. LEAVES OF ABSENCE

A. INTRODUCTION

The Authority provides (1) family care, medical, and military family leave for up to 12 or 26 weeks per year, depending on the reason, see section II(D), in accordance with the California Family Rights Act (“CFRA”) and the federal Family and Medical Leave Act of 1993, as amended (“FMLA”); (2) pregnancy leave for up to four months in accordance with the California Fair Employment and Housing Act (“FEHA”); (3) up to 12 weeks of leave for baby bonding under the California New Parent Leave Act; (4) disability leave as required to reasonably accommodate employees with a workplace injury or a qualified disability under the Americans with Disabilities Act (“ADA”) or the FEHA; and (5) leave for other legally required absences as set forth below. Employees having any questions regarding this policy should contact Human Resources.

B. FAMILY CARE, MEDICAL AND MILITARY FAMILY LEAVE

a. Eligibility. To be eligible for family care, medical, and military family leave, an employee must (1) have worked for the Authority for at least twelve months prior to the date on which the leave is to commence; (2) have worked at least 1,250 hours in the twelve (12) months preceding the leave; and (3) work at location with 50 employees or more within a 75-mile radius of the Authority’s next closest facility.

An employee returning from fulfilling his or her National Guard or Reserve military obligation will be credited with the hours of service that would have been performed but for the period of military service in determining the 1,250 hours of service.

In the case of a pregnancy-related disability or other legally protected disability or medical condition or work-related injury, an employee may not need to satisfy all of the above requirements. In such circumstances, the employee should refer to Sections III and IV of this policy, and also contact a Human Resources professional for clarification about his or her rights for other types of leave.

C. PERMISSIBLE USES

“Family care and medical leave” may be requested for (1) the birth of an employee’s child; (2) the placement of a foster child with the employee; or (3) the serious health condition of an employee’s child, registered domestic partner, spouse, or parent; or (4) an employee’s own serious health condition.

- A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either (1) the individual being admitted to a medical care facility with the expectation that he or she will remain at least overnight, or (2) continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

- Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

“Military exigency leave” may be requested when there is a qualifying military exigency arising out of the fact that an employee's spouse, child, or parent is on covered active duty (or has been notified of an impending call or order to covered active duty) in the Armed Forces outside of the United States. Qualifying military exigencies include the following:

- *Short-notice deployment* where the employee may take leave to attend any issue that arises from the fact that a military member (whether in the Regular Armed Forces, National Guard, or Reserves) is notified of an impending call or order to active duty seven or less calendar days prior to the date of deployment. Leave taken for this purpose can be used for a period of seven calendar days beginning on the date the covered service member receives the notification.

- *Military events and related activities* where the employee may take leave to attend to any official ceremonies, programs or events related to the call to active duty and to attend to family support, assistance programs, or informational briefings related to the call to active duty.

- *Childcare and school activities* where the employee may take leave to arrange for alternative childcare or to provide childcare on an urgent, immediate need basis when the need arises from the call to active duty, to enroll or transfer a child to a new school, to attend meetings with school or daycare facility staff regarding disciplinary measures, parent-teacher conferences, or meetings with school counselors.

- *Financial and legal arrangements* where the employee may take leave to make or update financial or legal arrangements related to the covered service member's absence, such as preparing powers of attorney, wills, transferring bank accounts, and the like, or appearing or acting on behalf of the absent service member in matters related to military benefits.

- *Counseling* where the employee may take leave to attend counseling, the need for which arises from the call to active duty of the covered service member.

- *Rest and recuperation* where the employee may take up to fifteen days of leave to spend time with a covered service member each time the service member is on short-term rest and recuperation leave during the period of deployment.

- *Post-deployment activities* where the employee may take leave for a period of up to 90 days following the termination of the deployment to attend arrival ceremonies, reintegration briefings and events, and other official ceremonies or programs provided by the military, or to address issues that arise out of the death of a covered service member.

- *Parental leave* where the employee may take qualifying leave to care for the parent of a military member, or someone who stood *in loco parentis* to that military member, when the parent is incapable of self-care. To qualify as parental leave, the need for the leave must arise out of the military member's call to active duty. Further, the leave must be for one of the following purposes: (1) to arrange for alternative care for the parent; (2) to provide care for the parent on an urgent, immediate need basis, (3) to admit or transfer the parent of the military member to a care facility; or (4) to attend a meeting with staff at a care facility for the parent.

- *Additional activities* where the employee may take leave to address other events that arise out of the call to active duty as the Authority and the employee may agree as to both timing and duration.

“**Military caregiver leave**” may be requested to care for a covered service member if the employee is the covered service member's spouse, child, parent, or next of kin. For purposes of this leave, a covered service member is: (1) a current member of the Armed Forces, including a member of the National Guard or Reserves who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness, or (2) a covered veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness.

D. SUBSTITUTION OF PAID LEAVE

Employees are required to substitute accrued vacation time and other paid personal leave (except sick leave) for all family care, medical leaves, and military leaves. Employees are required to substitute sick leave only for the employee's own medical leaves.

E. AMOUNT OF LEAVE

a. Family Care, Medical, and Military Caregiver Leave. Provided all the conditions of this policy are met, an employee may take a maximum of 12 weeks of family care, medical, and military exigency leave in a rolling 12-month period measured backwards from the date the employee's leave commences.

Employees who are unable to work due to pregnancy disability will be granted the greater of 12 weeks leave or the amount of leave to which the employee may be entitled under California state law for a pregnancy-related disability or in connection with childbirth. See Section III of this Guide. Family care leaves for the birth, adoption, or foster care placement of a child must be concluded within one year of the birth, adoption, or placement.

b. Military Caregiver Leave. Provided all the conditions of this policy are met, an employee may take a maximum of 26 weeks of military caregiver leave in a single 12-month period, inclusive of the time the employee takes for a family care, medical, or military exigency

leave during that period. This 12-month period will be measured forward from the first day leave is taken.

Spouses who are both employed by the Authority may take a maximum combined total of 26 weeks in the 12-month period for the care of the service member and the birth, adoption, or foster care of their child or to care for an ill parent, provided that no more than 12 weeks of this combined 26-week period may be taken for reasons other than to care for the service member.

c. Intermittent Leave. Medical leave for the employee’s own serious health condition, family care leave for the serious health condition of the employee’s spouse, parent, or child, and military caregiver leave may be taken intermittently or on a reduced schedule when medically necessary. Where the intermittent or reduced schedule leave is for planned medical treatment, the employee must make an attempt to schedule the treatment so as not to disrupt unduly the Authority’s operations. Where the family care leave is to be taken in connection with the birth, adoption, or foster placement of a child, the minimum duration for each period of leave is two weeks, except that the employee may request leave of less than two weeks duration on any two occasions. Exigency leave also may be taken intermittently or on a reduced schedule.

F. LEAVE’S EFFECT ON PAY

Except to the extent that other paid leave is substituted for family care, medical, and military family leave, leave under the FMLA and the CFRA is unpaid. However, employees may be entitled to California State Disability Insurance (SDI) when leave is taken for their own serious health condition.

Employees also may be entitled to Paid Family Leave (PFL) benefit payments for up to six (6) weeks in any twelve month period during leaves to care for qualifying family members. PFL provides a partial wage replacement for absences from work to care for a seriously ill or injured family member or for bonding with a minor child within one year of the birth or placement of the child in connection with foster care or adoption. Employee contributions provide funding for this program. PFL is administered like SDI by the California Employment Development Department. To the extent possible, PFL benefits must run concurrently with family care leave and do not entitle an employee to take any additional time off. In addition, an employee must use up to two weeks of any accrued but unused vacation before the employee will be eligible to receive PFL.

Percent of Salary Furnished During Disability Leave (less state benefits)	Years of Service (measured from date of hire or rehire)
State Benefits Only	Less than 1
50%	More than 1 but less than 2
60%	More than 2 but less than 3
70%	More than 3 but less than 4
80%	More than 4 but less than 5
90%	More than 5 but less than 6
100%	More than 6

G. LEAVE'S EFFECT ON BENEFITS

During an employee's family care, medical, and military family leave, the Authority will continue to pay for the employee's participation in the Authority's group health plans, to the same extent and under the same terms and conditions as would apply had the employee not taken leave.

Thus, the employee must continue to pay his or her share of the health plan premiums during the leave. If paid leave is substituted for the unpaid leave, such payments will be deducted from the employee's pay through the regular payroll deductions. Otherwise, the employee must make arrangements with the Authority for the payment of such premiums.

If the employee fails to pay his or her share of the premiums during leave, or if the employee fails to return from the leave at the expiration of 12 weeks (or 26 weeks in the case of a military caregiver leave) for a reason other than the recurrence, continuation, or onset of a serious health condition for which leave under this policy is allowed or other circumstances beyond the employee's control, the Authority can recover any health plan premiums paid by the Authority on the employee's behalf during any periods of the leave.

H. PROCEDURE FOR REQUESTING FAMILY CARE, MEDICAL, AND MILITARY FAMILY LEAVE

a. Notice Requirements. Employees must notify the Authority of their request for family care, medical, military exigency, or military caregiver leave as they are aware of the need for such leave. For foreseeable family care, medical, and military caregiver leave, the employee must provide 30 calendar days' advance notice to the Authority of the need for leave. For events that are unforeseeable 30 days in advance, the employee must notify the Authority as soon as is practicable and generally must comply with the Authority's normal call-in or notice procedures. If the leave is requested in connection with a planned, non-emergency medical treatment, the employee must make an attempt to schedule such treatment so as to avoid unduly disrupting Authority operations, and may be requested to reschedule the treatment so as to minimize disruption of the Authority's business.

If an employee fails to provide the requisite 30-day advance notice for foreseeable events without any reasonable excuse for the delay, the Authority reserves the right to delay the taking of the leave until at least 30 days after the date the employee provides notice of the need for family care or medical leave.

All requests for family care, medical, military exigency, and military caregiver leave should include enough information to make the Authority aware that the employee needs qualifying leave, and the anticipated timing and duration of the leave, if known. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the Authority if the requested leave is for a reason for which the FMLA leave was previously taken or certified.

Any requests for extensions of leave under this policy must be received as soon as is practicable and must include the revised anticipated date(s) and duration of the leave. To the extent

permitted by law, the Authority reserves the right to deny requests for extensions or deny reinstatement to an employee who exceeds the leave amounts provided by this policy or fails to provide requested medical certification. In addition, if an employee has a disability, he or she may be eligible for leave under the Americans with Disabilities Act (ADA) or state law. For more detailed information on extended leaves, please contact the Human Resources Supervisor.

Once the Authority is aware of the employee's need for leave, it will inform the employee whether he or she is eligible under the FMLA. If the employee is eligible, the notice will specify any additional information required as well as the employees' rights and responsibilities. If the employee is not eligible, the Authority will provide a reason for the ineligibility.

b. Certification. Any request for medical leave for an employee's own serious health condition, for family care leave to care for a child, spouse, domestic partner, or parent with a serious health condition or for a serious injury, or for military caregiver leave, must be supported by medical certification from a health care provider. For military caregiver leave, the employee must provide confirmation of a family relationship to the seriously ill or injured service member. Employees generally must provide the required certification within 15 calendar days after the Authority's request for certification, unless it is not practicable under the circumstances to do so, despite the employee's good faith efforts.

The medical certification for a child, spouse, domestic partner, or parent with a serious health condition or for the serious injury or illness of a qualifying service member must include (a) the date on which the serious health condition or serious injury or illness commenced; (b) the probable duration of the condition; (c) the health care provider's estimate of the amount of time needed for family care; (d) the health care provider's assurance that the health care condition or injury or illness warrants the participation of the employee to provide family care; and (e) in the case of intermittent or reduced schedule leave where medically necessary, the probable duration of such a schedule.

The medical certification for the employee's own serious health condition must include (a) the date on which the serious health condition commenced; (b) the probable duration of the condition; (c) a statement that, due to the serious health condition, the employee is unable to perform the essential functions of his or her position; and (d) in the case of intermittent leave or reduced schedule leave where medically necessary, the probable duration of such a schedule. In addition, the certification may, at the employee's option, identify the nature of the serious health condition involved.

Failure to timely provide the required certification may result in the denial of foreseeable leave until such certification is provided. In the case of unforeseeable leaves, failure to timely provide the required certification may result in a denial of the employee's continued leave. Where the employee's need for leave due to the employee's own serious health condition, or the serious health condition of the employee's covered family member, lasts beyond a single leave year, the Authority may require the employee to provide a new medical certification in each subsequent leave year. Any request for an extension of the leave also must be supported by an updated medical certification.

The Authority has developed forms for use in obtaining medical certifications that satisfy the requirements of this policy. For military caregiver leave, the Authority will accept Invitational Travel Orders (ITOs) or Invitational Travel Authorizations (ITAs) in lieu of its medical certification form. Where leave is related to a covered veteran's serious injury or illness, the employee may also submit documentation of enrollment in Veterans Affairs Programs of Comprehensive Assistance for Family Caregivers.

It is the employee's responsibility either to furnish a complete and sufficient certification or to furnish the health care provider providing the certification with any necessary authorization from the employee or the employee's family member in order for the health care provider to release a complete and sufficient certification to the Authority to support the employee's leave request.

Where permitted by law, if the Authority has a good faith, objective reason to doubt the validity of the medical certification provided by the employee, the Authority may require the employee to obtain a second opinion from a doctor of the Authority's choosing at the Authority's expense. If the employee's health care provider providing the original certification and the doctor providing the second opinion do not agree, the Authority may require a third opinion, also at the Authority's expense, performed by a mutually agreeable doctor who will make a final determination. It is the employee's responsibility to furnish his or her health care provider with the necessary authorization for the disclosure of medical information to the doctor(s) who will provide the second and third opinions. If the employee fails to provide the necessary authorization, the request for leave may be denied, in accordance with applicable law.

I. DESIGNATION OF PROTECTED LEAVE

Once the Authority has enough information to determine whether the leave is FMLA-qualifying, the Authority will inform the employee if leave will be designated as FMLA-protected and, if known at that time, the amount of leave that will be counted against the employee's leave entitlement. If the Authority determines that the leave is not protected, the Authority will notify the employee.

J. RECERTIFICATION

The employee taking leave because of his or her own serious medical condition or the serious medical condition of a family member may be required, except in cases of military caregiver leave, to provide the Authority with recertification at appropriate intervals. For purposes of recertification, the employer may request the same information as allowed by law for the original certification. As part of that request, the Authority may provide the health care provider with a record of the employee's absence pattern to confirm whether such a pattern is consistent with the need for leave. The employee must provide the requested certification within 15 calendar days of such a request, unless it is not practicable to do so despite the employee's diligent good faith efforts.

K. RETURN TO WORK CERTIFICATION

Where the leave is for the employee's own serious health condition, the Authority requires employees to provide medical certification that he or she is released to return to work and able to do so. The Authority may delay restoring the employee to employment or terminate the employee without such certificate.

L. LEAVE'S EFFECT ON REINSTATEMENT

Employees timely returning from a leave covered under this policy are entitled to reinstatement to the same or equivalent position consistent with applicable law. The Authority may delay reinstatement to employees who are among the highest paid ten percent of all employees employed by the Authority within 75 miles of the employees' worksite and whose reinstatement would cause substantial and grievous economic injury to the Authority's operations. An employee has no greater right to reinstatement than if he or she had been continuously employed rather than on leave. The Authority will comply with all applicable laws pertaining to reinstatement of employees, including where required, the reasonable accommodation of employees who have been on approved leave.

The Authority complies with applicable family care, medical leave, and military family leave laws. Under the FMLA it is unlawful for any employer to interfere with, restrain, or deny the exercise of any right provided under the FMLA; or discharge or discriminate against any person for opposing any practice made unlawful by the FMLA or for involvement in any proceeding under or relating to the FMLA. If an employer has done so, an employee may file a complaint with the U. S. Department of Labor or may bring a private lawsuit against an employer. The FMLA does not affect any federal or state law prohibiting discrimination, or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights. If you have questions, or would like further clarification about your rights under the FMLA or other types of leave, please contact the Human Resources Department. Separately, employees may file complaints of claimed violations of CFRA with the California Department of Fair Employment and Housing (DFEH), which is authorized to investigate such complaints. For more information, visit the DFEH's website at <http://www.dfeh.ca.gov>.

M. PREGNANCY-RELATED DISABILITY RIGHTS

a. Leaves of Absence, Accommodations, and Transfers. Any employee who is disabled by pregnancy, childbirth, or other related conditions may take a Pregnancy-Related Disability leave for the period of actual disability of up to four months, in addition to any family care or medical leave to which the employee may be entitled under Section II of this policy (Family Care, Medical and Military Family Leaves). Pregnancy-Related Disability Leaves may be taken intermittently, or on a reduced-hours' schedule, as medically necessary.

Moreover, an employee is entitled to a reasonable accommodation for pregnancy, childbirth, or related medical conditions if she so requests and provides the Authority with medical certification from her health care provider. In addition to other forms of reasonable accommodation, a pregnant employee is entitled to transfer temporarily to a less strenuous or hazardous position or to less hazardous or strenuous duties if she so requests, the transfer request is supported by proper medical certification, and the transfer can be reasonably accommodated.

b. Substitution of Paid Leave for Pregnancy-Related Disability Leave. An employee taking Pregnancy-Related Disability Leave must substitute any sick pay for her leave and may, at her option, substitute any accrued vacation time for her leave. The substitution of paid leave for Pregnancy-Related Disability Leave does not extend the total duration of the leave to which an employee is entitled.

c. Leave's Effect on Benefits. During a Pregnancy-Related Disability Leave, the Authority will continue to pay for the employee's participation in the Authority's group health plans, to the same extent and under the same terms and conditions as would apply had the employee continued in employment continuously for the leave period.

Thus, the employee must continue to pay his or her share of the health plan premiums during the leave. If paid sick leave is substituted for any portion of the leave that is unpaid leave, such payments will be deducted from the employee's pay through the regular payroll deductions. Otherwise, the employee must make arrangements with the Authority for the payment of such premiums.

The Authority may recover from the employee the premiums that the Authority paid to maintain coverage for the employee under the group health plan if the employee fails to return from leave after the period of leave has expired and the employee's failure to return is for a reason other than: (i) the employee is taking (i.e., has transitioned over to) leave under the California Family Rights Act, unless the employee chooses not to return after the Pregnancy-Related Disability Leave, in which case the Authority can recover such premiums; (ii) the continuation, recurrence, or onset of a health condition that entitles the employee to Pregnancy-Related Disability Leave, unless the employee chooses not to return after the Pregnancy-Related Disability Leave, in which case the Authority can recover such premiums; (iii) non-pregnancy related medical conditions requiring further leave, unless the employee chooses not to return to work following the leave, in which case the Authority can recover such premiums, or (iv) other circumstances beyond the employee's control.

It is the Authority's policy that, similar to other unpaid leaves, during any unpaid portion of a Pregnancy-Disability Leave, employees will accrue employment benefits, such as sick leave, vacation leave, and seniority, only when paid leave is being substituted for unpaid leave and only if the employee would otherwise be entitled to such accrual.

Employee benefits may be continued during the unpaid portion of the Pregnancy-Disability Leave according to the provisions of the Authority's various employee benefit plans.

If an employee taking a Pregnancy-Related Disability Leave is also eligible for family care, medical, and military family leave under Section II of this policy, then the employee is entitled to the Authority's continuation of benefits, as described in Section II(F), up to a maximum of 12 weeks in a 12-month period.

d. Return to Work Certification. Consistent with the Authority's practice for other employees returning from a disability leave for reasons other than pregnancy, the Authority requires that an employee returning from Pregnancy-Related Disability Leave provide a release to return to work from her healthcare provider stating she is able to resume her original job or duties.

e. Leave's Effect on Reinstatement. Employees returning from Pregnancy-Related Disability Leave generally are entitled to be reinstated in the same position, subject to certain conditions, and consistent with applicable law.

f. Other Terms and Conditions of Leave. The provisions of the Authority's Family Care, Medical and Military Family Leave policy regarding the leave's effect on pay (Section II(E)), notice requirements (Section II(G)(I)), and medical certification requirements (Section II(G)(2)) also apply to all Pregnancy-Related Disability Leaves, as well as requests for pregnancy-related reasonable accommodations and transfers, and New Parent Leaves (to the extent permitted by law). However, for pregnancy-related disabilities, there is no process for obtaining more than one medical opinion. For the purpose of applying those provisions, an employee's pregnancy-related disability is considered to be a serious health condition.

N. CALIFORNIA NEW PARENT LEAVE

Eligible California employees who are not subject to both the federal FMLA and California CFRA may take new parent leave under California's New Parent Leave Act to bond with a new child within one year of the child's birth, adoption, or foster care placement, under the circumstances set forth below. In general, if an aspect of New Parent Leave is not addressed in the policy below, employees should follow the procedures described above in the "Family Care, Medical and Military Family Leave" policy, including those describing how to request New Parent Leave. Employees should direct any questions to Human Resources.

a. Eligibility. To be eligible for New Parent Leave, employees must (1) have more than 12 months of service with the Authority during the 12-month period prior to the date on which the leave is to commence; (2) have at least 1,250 hours of service with the Authority during the previous 12-month period; and (3) work at a worksite in which the Authority employs at least 20 employees within 75 miles.

b. Leave's Effect on Pay and Benefits. Leave under the New Parent Leave Act is unpaid, although employees are entitled to utilize accrued vacation pay, paid sick time, or other paid or unpaid time off negotiated with the employer, during such leave. Also, employees may be eligible for Paid Family Leave wage replacement/insurance benefits administered as part of the California State Disability Insurance program during a New Parent Leave.

During New Parent Leaves, the Authority will continue to pay for employees' participation (if applicable) in the Authority's group health plan for the duration of the leave but not to exceed 12 weeks over the course of a 12-month period, commencing on the date that the parental leave commenced, at the level and under the conditions that would have been provided if the employee had continued to work in his or her position for the duration of the leave. Thus, the employee must continue to pay his or her share of any group health plan premiums during the leave. If an employee has either voluntary plans and/or dependent medical insurance coverage, he/she also will be required to pay the regular contributions for those benefits while on leave. (Arrangements for payment, and consequences for failure to make such payments, as well as accrual of benefits, are as set forth in the Family Care, Medical, and Military Family Leave policy above.)

The Authority may recover the premiums that it paid for maintaining coverage for the employee under any group health plans, if (1) the employee fails to return from leave after the expiration of the period of leave to which he/she is entitled, and (2) such failure to return is for a reason other than the continuation, recurrence, or onset of a serious health condition or other circumstances beyond the employee's control.

c. Guaranteed Reinstatement. Eligible employees who take New Parent Leave should note that they are guaranteed employment in the same or a comparable position upon termination of such leave, subject to any exceptions provided by law.

d. Both Parents as Employees. If the Authority employs both parents who are entitled to New Parent Leave, the Authority is not required to grant leave in an amount beyond that available to one eligible parent.

e. No Discrimination or Interference with Rights. The Authority will not discriminate in any way against an individual because he or she exercised New Parent Leave rights or gave information or testimony as to the employee's or another person's New Parent Leave, and it will not interfere or limit in any way the exercise or attempted exercise of any such rights.

O. OTHER DISABILITY LEAVES

In addition to medical or pregnancy-related disability leaves described in Sections II and III, employees may take a temporary disability leave of absence if necessary to reasonably accommodate a workplace injury or a disability under the ADA or the FEHA. Any disability leave under this section will run concurrently with any medical leave to which the employee is entitled under Section II of this policy.

Disability leave under this section will be unpaid.

Employees taking disability leave must comply with the Family Care, Medical, and Military Family Leave provisions regarding substitution of paid leaves (Section II(C)), notice (Section II(G)(I)), and medical certification (Section II(G)(2)). For the purpose of applying these provisions, a disability leave will be considered to be a medical leave.

If a disability leave under this section extends beyond 12 weeks in a 12-month period, the employee will not be entitled to any continued employer contributions towards any employment benefit plan unless otherwise required by law. An employee, however, may elect to continue participating in such benefit plans, at the employee's own expense, to the extent permitted by such plans.

The duration of a leave under this section shall be consistent with applicable law, but in no event shall the leave extend past the date on which an employee becomes capable of performing the essential functions of his or her position, with or without reasonable accommodation. For a full explanation of leave duration and reinstatement rights, employees should contact the Human Resources supervisor.

P. OTHER LEAVES OF ABSENCE

The Authority also grants eligible employees leaves of absence for military leave, jury or witness duty, certain court appearances, appearances at school or daycare activities, emergency duty as a volunteer firefighter, a reserve peace officer, or emergency rescue personnel, to vote in a statewide election, for bereavement leave, for leave related to domestic violence, crime victims leave, or leave for the donation of an organ or bone marrow.

Employees wishing to take a leave of absence for one of these reasons should refer to the procedures outlined below or contact the Human Resources supervisor.

a. Military Leave of Absence. The Authority will grant employees a military leave of absence to the extent required by applicable federal and state law.

Full-time and part-time employees who must be absent from employment due to participation in the uniformed services or other military duty will be granted time off without pay.. Employees may request to substitute accrued vacation for any unpaid portion of the military leave.

Employees must notify their immediate supervisor as soon as they know the required dates of service (unless such notice is precluded by military necessity or is otherwise impossible or unreasonable) and, if requested, furnish the supervisor with a copy of the official orders or instructions. Upon return from an excused military leave, the employee will be reinstated to his or her former position, or another position, to the extent required by applicable law. In order to be eligible for reinstatement, the employee must (1) report to the Distractor submit an application for employment within the period required by federal and state laws; and (2) provide a certificate of satisfactory completion of service, as well as appropriate documentation to establish that the employee is eligible for reinstatement.

Vacation and sick-leave benefits do not accrue during any unpaid period of military leave.

An employee whose service is completed in 30 or fewer days will continue receiving health benefits on the same terms as he or she received prior to commencing military leave. For service beyond 30 days, the employee has the ability to continue health benefits pursuant to applicable federal and state law. Upon an employee's return to work, the Authority will count the time spent on military duty as time worked (1) for determining eligibility for FMLA or CFRA leave; and (2) for retirement plan eligibility, vesting, and benefit accrual; and (3) for other benefits that are based on seniority.

b. Military Spouse Leave. Qualified California employees will be given up to 10 days leave during that time in which the employee's spouse or domestic partner is on leave from deployment in a combat zone with the active duty or reserve military or national guard during a period of military conflict. Employees may use accrued vacation time to cover this absence. If the employee has no accrued vacation, the employee must request time off without pay.

Qualifying employees are employees who work an average of 20 hours per week and have a spouse or domestic partner who is serving as (1) a member of the U. S. Armed Forces and who has been deployed during a period of military conflict to an area designated as a combat theater or combat zone by the President of the United States or (2) a member of the Armed Forces Reserve Components or the National Guard and has been deployed during a period of military conflict.

Qualifying employees who wish to request this leave must provide the Authority with a written request for such leave within two business days of receiving official notice that the military spouse or domestic partner will be on leave from deployment. The employee must also provide

written documentation to the Authority certifying that the military member will be on military leave from deployment.

Q. PERSONAL LEAVES OF ABSENCE

a. General. Employees who have been continuously employed with the Authority for at least one (1) year, may, due to special circumstances, request a personal leave of absence without pay, for a reasonable period of time up to one hundred and eighty (180) days. Requests for leaves of absence will be considered on the basis of length of service, performance, responsibility level, the reason for the request, whether other individuals are already out on leave, and the expected impact on the Authority.

b. Requests. A request must be submitted in writing and be approved in writing by the Superintendent and/or General Manager before a leave begins. A request for an extension of a leave of absence must be submitted in writing and approved in writing by the Superintendent and/or General Manager before the extended period begins. It is your responsibility to report to work at the end of the approved leave. If you fail to report to work on the day after your leave expires, you will be considered to have voluntarily resigned.

c. Status of Employee Benefits During A Personal Leave. The Authority does not pay for group insurance premiums during any portion of a non- mandated, unpaid leave of absence beyond the end of the month in which the leave begins. Accordingly, the premiums beyond that point for such coverage are your complete responsibility and offered through COBRA. In order to keep the insurance in force, premiums for the period of the leave must be paid according to the schedule outlined in the COBRA notification form.

R. SCHOOL ACTIVITY LEAVE

Any employee who is the parent or guardian of a child through grade 12 may request up to 40 hours off per year for the purpose of participating in school activities, locating and/or enrolling in child care, or school emergency. This time will be unpaid unless you choose to use wage replacement through accrued vacation time or compensatory time off for this purpose. You will be limited to no more than eight hours off for this purpose in any one calendar month. Upon request, the Authority reserves the right to require documentation for this leave.

S. BEREAVEMENT LEAVE

A full-time or part-time employee may be granted up to five days of bereavement leave from his or her accumulated sick leave benefit following the death of a member of his or her immediate family.

"Immediate family" is defined as the employee's spouse, parent, child, sibling, long-time companion, step-parent, step-child, grandparent, grandchild, or legal guardian; the employee's child's spouse; the employee's spouse's parent, child or sibling.

If an employee requires more than five days, he or she may request a personal unpaid leave of absence or request the opportunity to use any accrued vacation time.

T. JURY DUTY

The Authority recognizes employees' obligations to fulfill their civic responsibilities by serving jury duty when required. Non-exempt full-time and part-time employees may request up to six days of paid jury duty leave per call with no annual limit. Jury duty pay will be calculated on the employee's base pay rate times the number of hours the employee would otherwise have worked on the day of absence. Exempt employees who serve jury duty for periods of six days will receive their regular salary. Any fees received by an employee for serving on jury duty during the paid jury leave period, not including reimbursement by the court for expenses, must be turned over to the Authority. As a Public Employee, the Employee can request the court to waive court payments, other than reimbursement of mileage that is paid to the Employee. A copy of the waiver should be given to your Supervisor.

If an employee is required to serve jury duty beyond the period of paid jury duty leave, he or she may use any available paid time off (for example, vacation benefits) or may request an unpaid jury duty leave of absence.

Employees must show the jury duty summons to their supervisor as soon as possible so that the supervisor may plan to accommodate the employee's absence. Of course, the employee is expected to report for work whenever the court schedule permits.

Either the Authority or the employee may request an excuse from jury duty if, in the Authority's judgment, the employee's absence would create serious operational difficulties.

Insurance benefits will remain in effect and unchanged for the full term of the jury duty absence. Accrual for benefits calculations, such as vacation, sick leave, or holiday benefits, will not be affected during jury duty leave.

Authority vehicles shall not be used as transportation for jury duty.

U. WITNESS DUTY

The Authority recognizes employees' obligations to appear in court for witness duty when subpoenaed to do so.

The subpoena should be shown to the employee's supervisor immediately after it is received so that operating requirements can be adjusted, where necessary, to accommodate the employee's absence. The employee is expected to report for work whenever the court schedule permits.

All non-exempt employees will be granted unpaid time-off to appear in court as a witness when requested by a party other than the Authority. Employees are free to use any available paid vacation benefits to receive compensation for the period of this absence.

V. VOTING

Upon consent of their supervisor, all employees who are registered to vote may take up to two (2) hours of paid time off at the beginning or end of their work shift to vote in state-wide elections. This allowance is only applicable if an employee does not have sufficient time to vote

outside of working hours. In such instances, the employee must provide notice of their desire to take time off to vote at least two (2) days prior to the election. It is required that a voter's receipt be submitted to your supervisor.

W. LEAVE RELATED TO DOMESTIC VIOLENCE, SEXUAL ASSAULT, OR STALKING

The Authority will provide time off to an employee who has been the victim of domestic violence, sexual assault, or stalking to seek any relief, including, but not limited to, a temporary restraining order, restraining order, or other injunctive relief, to help ensure the health, safety, or welfare of the victim or his or her child. This includes time off for court proceedings, services from a domestic violence shelter, program or rape crisis center, counseling, medical attention, and participation in safety planning programs. The Authority requires reasonable advance notice of the leave when feasible. If time off is taken due to an emergency, the employee must, within 15 days of the absence, provide the Authority with certification of the need for the leave such as a police report, court order, documentation from a healthcare provider, victims advocate, or counselor.

Employees eligible for paid sick leave benefits under California law may take any such available paid time off, consistent with such law, for the purposes set forth in this policy. For more information, please see the "Sick Leave" policy. In the event paid sick leave benefits are not available, employees taking leave under this policy may elect to apply accrued and unused vacation to such time.

Also, the Authority will provide a reasonable accommodation for an employee who is a victim of domestic violence, sexual assault, or stalking, and who has disclosed that status to the Authority, if the employee requests an accommodation for his or her safety while at work. The Authority will engage, in good faith, in a timely and interactive process with the employee to determine an effective reasonable accommodation, and the Authority may request that the employee provide (i) a written statement, signed by the employee or someone acting on his or her behalf, certifying that the accommodation is for the purpose stated above, and (ii) a certification demonstrating the employee's status as a victim of domestic violence, sexual assault, or stalking. Every 6 months after the date of the previous certification, the Authority may request recertification of such status. The Authority will maintain certifications as confidential if it identifies the employee as a victim of domestic violence, sexual assault, or stalking, and will disclose such information only as required by law, or as necessary to protect the employee's workplace safety. The Authority will notify the employee before such disclosure.

The Authority prohibits discrimination, discharge, or retaliation against an employee for taking time off or requesting an accommodation under this policy, or based on the employee's status as a victim of domestic violence, sexual assault, and/or stalking.

X. CRIME VICTIMS' LEAVE. The Authority will provide time off to an employee to attend judicial proceedings related to a crime, if that employee is a victim of crime, an immediate family member of a victim, a registered domestic partner of a victim, or the child of a registered domestic partner of a victim. The Authority requires that when feasible, in advance of taking leave, the employee provide it with a copy of the notice of each scheduled proceeding that is provided to

the victim by the agency responsible for providing notice. If advance notice is not possible, the employee is required to provide the Authority with a copy of the notice within a reasonable time.

No employee who is absent from work pursuant to this provision will be discharged or otherwise discriminated against in compensation or other terms, conditions, or privileges of employment, because of such absence. Such leave is unpaid. Employees taking leave under this policy may elect to apply vacation time to such leave.

IX. EMPLOYEE CONDUCT

A. PROFESSIONAL APPEARANCE AND UNIFORMS

Presenting a professional appearance contributes to the morale of all employees and affects the public's perception of the Authority. During business hours, employees are expected to present a clean and neat appearance and to dress according to the requirements of their positions.

Any employee who needs a medical or religious accommodation to the Authority's dress and grooming standards should contact the General Manager.

B. ATTENDANCE

The Authority relies on you to consistently perform the duties assigned to you. You must routinely interact with co-workers, water users, landowners, vendors and the general public to effectively meet these objectives. Good attendance is essential to providing these objectives and is an indicator of effective employee performance.

It is recognized that you will have periodic absences for illness or personal matters, but recurring and excessive absences and/or tardiness adversely affects productivity, morale, work flow, and service and directly impacts the Authority's ability to meet its challenging goals.

The professionalism that you bring to your position and the Authority is valued and it is anticipated that you will manage your own good attendance. There are occasions, however, when attendance guidelines are beneficial and necessary to direct employees and managers.

The guidelines are intended to be straightforward and concise. They are subject to management discretion and allow for flexibility in addressing individual attendance situations. Your manager will consider State and Federal laws, family and medical leave issues, the demands of different work units, the Authority's policy, your performance, your attendance history, and individual circumstances when assessing appropriate steps to correct attendance problems.

The Authority intends to maintain a positive environment that supports its goals while recognizing individual needs and circumstances. If attendance issues arise, please speak with your manager who can discuss the impact of your attendance on the Authority's goals and your individual performance. Please note that it is your responsibility, however, to understand the guidelines outlined in the Authority's Attendance Policy.

The Authority may utilize a system of corrective action, at its sole discretion, in cases of misconduct or unacceptable performance, including absenteeism. The use of such a system does not waive either the Authority's or your right to terminate employment at any time with or without

cause. If the number of absences within the most recent 12-month period, regardless of the reason, is excessive, you may be subject to corrective action, at the discretion of the Authority, to make you aware of problems and create an action plan to resolve issues. The attendance policy of the Authority will be followed only to the extent allowed by law and is not meant to circumvent or abrogate any existing provisions of the FEHA, ADA, ADEA, or other state or federal law and/or regulation.

If you fail to report to work for three consecutive workdays without notice or approval by your manager, the Authority may consider that you have abandoned your job and your employment may be terminated.

C. TRAVEL AND REIMBURSEMENT OF EXPENSES

The Authority will fully compensate employees for all reasonable and prudent expenses incurred in the course of business as described below:

Credit Card Use

Credit cards will be issued to specific employees who either travel on a regular basis on Authority business, or have the need to frequently purchase supplies or services. Credit cards should be used only for legitimate, approved business of the Authority, subject to the following regulations. These cards should be used for all approved expenses as authorized in this section.

- No personal items may be charged on the business credit card;
 - All charges must be in line with travel guidelines or as approved by management;
- and
- Receipts must be signed by a manager and submitted to the Bookkeeper within one week of making the charge.

Employee Incurred Expenses

Expenses under the amount of \$20, which are incurred by employees for the Authority's purposes will be reimbursed through its petty cash. Expenses over that amount will be reimbursed through normal accounting procedures after you have completed and submitted an expense report. All expenses must be approved in advance by management before submitting to the Bookkeeper for reimbursement.

Mileage

The mileage reimbursement rate to operate privately-owned vehicles will be the allowable IRS rate in effect at the time the expense is incurred. The mileage distance should be calculated from destination to destination. Any employee incurring out-of-pocket expenses due to traffic accidents while on Authority business (i.e. deductibles), may be reimbursed by the Authority.

Those of you driving private vehicles on Authority business will be required to attend a formal defensive driving class every four years. You will also be enrolled in the state of California PULL program that monitors driving records for public employees. In addition, you are required to provide the Authority with proof of insurance coverage for your personal vehicle.

You are expected to practice good defensive driving techniques and operate the vehicle in a safe and responsible manner.

Meals

The Authority will provide up to \$65 per day for full-day travel expenses and up to \$35 per day for half-day travel expenses. Special circumstances will be required to justify reimbursement for amounts above these limits.

Lodging

The reimbursement rate should not exceed \$135 per night, exclusive of tax, or whatever is a reasonable rate in the area. Staff members should always try to get a government rate whenever possible. Management approval is required for lodging fees that are far beyond the rate listed.

D. OUTSIDE EMPLOYMENT

The Authority has no objection to an employee becoming involved in outside business activities or seeking other employment requiring his or her time or attendance outside their normal working hours, as long as it does not detract from the employee's performance or effectiveness or create a conflict of interest. Employees wishing to work another job must notify the General Manager of their intentions.

Employees may not perform work or solicit outside business on the Authority's premises, or while working on the Authority's time. Employees are not permitted to use any Authority equipment or property (such as telephones, fax machines, copiers, office supplies or proprietary information) for outside work or business.

The Authority does not allow secondary or outside employment during the use of FMLA leave or an equivalent leave for non-FMLA qualifying reasons. Employees who are determined to be working at a secondary or outside job for pay or personal gain during any such leave are subject to discipline, up to and including termination of employment.

E. OFF-DUTY CONDUCT/CONFLICT OF INTEREST

While the Authority does not seek to interfere with the off-duty and personal conduct of its employees, certain types of off-duty conduct may interfere with the Authority's legitimate business interests. For this reason, employees should be aware of the following policies:

Employees are expected to conduct their personal affairs in a manner that does not adversely affect the Authority's integrity, reputation or credibility. Conduct on the part of an employee that adversely affects the Authority's legitimate business interests or the employee's ability to perform his or her job will not be tolerated.

While employed by the Authority, employees are expected to devote their energies to their jobs with the Authority. The following types of outside employment are strictly prohibited:

- Employment that conflicts with an employee's work schedule, duties and responsibilities;

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

Employees who wish to engage in outside employment that may create a conflict of interest must submit a written request to the General Manager explaining the details of the outside employment. If the outside employment is authorized, the Authority assumes no responsibility for the outside employment. The Authority shall not provide workers' compensation coverage for injuries occurring from or arising out of outside employment. Authorization to engage in outside employment can be revoked at any time. If an employee has any doubts, it is recommended that a written request be submitted to insure there are no future problems.

F. CELLULAR PHONE/WIRELESS DEVICES

It is the Authority's policy to provide efficient and effective services. Utilizing cellular telephones can improve the quality of service delivered to our customers, the productivity of the Authority workforce and the general cost effectiveness of the Authority's operations. Cellular technology helps with disaster/emergency situations, and offers portable alternatives for immediate communication, enabling time and distance to be managed more effectively.

Excessive use of personal cellular/wireless devices during the work day, regardless of the phone or device used, can interfere with employee productivity and be distracting to others. During paid work time, employees are expected to exercise the same discretion in using personal cellular/wireless devices as is expected for the use of any Authority telephone or computer. Cellular phones may not be used at any work site where the operation of the phone is or may be a distraction to the public or other employees.

A reasonable standard the Authority encourages is to limit personal calls during work time to an average of no more than two or three short-duration calls per day as needed. This restriction does not apply during an employee's meal or rest break. Employees are expected to make personal calls on non-work time when possible and to ensure that friends and family members are aware of the Authority's policy. Flexibility will be provided in circumstances demanding immediate personal phone use, but this immediate need should be communicated to an employee's supervisor.

Employees may be issued Authority cellular phones and/or wireless devices. EMPLOYEES HAVE NO EXPECTATION OF PRIVACY WHEN USING AUTHORITY PROVIDED CELLULAR PHONES AND/OR WIRELESS DEVICES. The Authority has the right to review all records related to cellular and/or wireless devices including but not limited to phone logs, text messages, and internet usage logs. User should further be aware that all records may be subject to discovery under the Public Records Act.

Authority issued cellular phones and/or wireless devices shall remain the sole property of the Authority and shall be subject to inspection and/or monitoring (including related records including text messages) at any time. Employees in possession of Authority equipment such as cellular phones are expected to protect the equipment from loss, damage, or theft. Upon resignation or termination of employment, or at any time upon request, the employee may be asked to produce the phone for return or inspection. Employees unable to present the phone in good working condition within the time period requested (for example 24 hours) may be expected to bear the cost of a replacement.

Employees whose job responsibilities include regular or occasional driving are encouraged to refrain from using a cellular device while driving. Safety must come before all other concerns. Regardless of the circumstances, including slow or stopped traffic, employees are strongly encouraged to pull off to a reasonably safe location and safely stop the vehicle before placing or accepting a call. If acceptance of a call is unavoidable and pulling over is not an option, employees are required to use hands-free options in compliance with applicable law and are expected to keep the call short, refrain from discussion of complicated or emotional issues, and keep their eyes on the road. Special care should be taken in situations where there is traffic, inclement weather or the employee is driving in an unfamiliar area. Under no circumstances are employees allowed to place themselves or the public at risk to fulfill business needs.

In situations where an Authority cell phone has been issued and the employee's job responsibilities include regular driving and accepting of business calls, hands-free equipment will be provided to facilitate the provisions of this policy.

Text messaging, reading or writing emails, or accessing the internet while driving is not allowable under any circumstances.

Employees who are charged with traffic violations resulting from the use of a cellular phone while driving on duty may be subject to disciplinary action and personal liability resulting from such traffic violations and are responsible for paying the cost of the citation.

Violations of this policy will be subject to discipline, up to and including termination.

X. TECHNOLOGY USE AND SECURITY

The Authority provides various Technology Resources to authorized employees to assist them in performing their job duties for the Authority. Each employee has a responsibility to use the Authority's Technology Resources in a manner that increases productivity, enhances the Authority's public image, and is respectful of other employees. Failure to follow the Authority's policies regarding Technology Resources may lead to disciplinary measures, up to and including termination of employment.

a. Technology Resources Definition

Technology Resources consist of all electronic media and storage devices, software, and means of electronic communication including any of the following: personal computers and workstations; laptop computers; mini and mainframe computers; tablets; computer hardware such as disk drives, tape drives, external hard drives and flash/thumb drives; peripheral equipment such

as printers, modems, fax machines, and copiers; computer software applications and associated files and data, including software that grants access to external services, such as the Internet or cloud storage accounts; electronic mail; telephones; mobile phones; personal organizers and other handheld devices; pagers; voicemail systems; and instant messaging systems.

b. Authorization. Access to the Authority's Technology Resources is within the sole discretion of the Authority. Generally, employees are given access to the Authority's various technologies based on their job functions. Only employees whose job performance will benefit from the use of the Authority's Technology Resources are authorized to access and use the necessary technology. Additionally, employees must successfully complete Authority-approved training before they are authorized to access and use the Authority's Technology Resources.

c. Use. The Authority's Technology Resources are to be used by employees during working time only for the purpose of conducting Authority business.

d. Improper Use: The Authority is aware that employees use electronic mail for correspondence that is less formal than written memoranda. Employees must take care, however, not to let informality degenerate into improper use. As set forth more fully in the Authority's "Equal Employment Opportunity Policy" and its "Policy Against Harassment, Discrimination, and Retaliation," the Authority does not tolerate discrimination or harassment based on race, color, religion, religious creed (including religious dress and religious grooming practices), sex (including pregnancy, perceived pregnancy, childbirth, breastfeeding, or related medical conditions), gender, gender identity (including transgender identity), gender expression (including transgender expression), because an individual has transitioned (to live as the gender with which they identify), is transitioning, or is perceived to be transitioning, sex stereotyping, national origin, ancestry, citizenship, age (40 years and over), mental disability and physical disability (including HIV and AIDS), legally protected medical condition or information (including genetic information), protected medical leaves (requesting or approved for leave under the Family and Medical Leave Act or the California Family Rights Act), military and/or veteran status, service, or obligation, reserve status, national guard status, marital status, domestic partner status, sexual orientation, status as a victim of domestic violence, sexual assault or stalking, enrollment in a public assistance program, engaging in protected communications regarding employee wages or otherwise exercising rights protected under the California Fair Pay Act, requesting a reasonable accommodation on the basis of disability or bona fide religious belief or practice, or any other status protected by applicable laws. Under no circumstances shall employees use the Authority's Technology Resources to transmit, receive, or store any information that is discriminatory, harassing, defamatory, obscene, indecent, threatening, or that otherwise could adversely affect any individual, group, or entity (e.g., sexually explicit or racial messages, slurs, jokes, or cartoons).

e. Prohibition Against Violating Copyright Laws. Employees shall not use the Authority's Technology Resources to copy, retrieve, forward, or send copyrighted materials unless the employee has the author's permission or is accessing a single copy only for the employee's reference.

f. Other Prohibited Uses. Employees shall not use the Authority's Technology Resources for any illegal purpose, violation of any Authority policy, for pecuniary gain, or in any way that discloses trade secrets or other confidential or proprietary information of the Authority, business partners, vendors, or customers.

g. Authority Access To Technology Resources. All messages sent and received, including personal messages, and all data and information stored on the Authority's Technology Resources (including on its electronic mail system, voicemail system, or computer systems) are Authority property regardless of the content. As such, the Authority reserves the right to access all of its Technology Resources including its computers, voicemail, and electronic mail systems, at any time, in its sole discretion. No employee, other than the General Manager, has authority to waive, vary, or amend the Authority's right to access its Technology Resources.

h. No Reasonable Expectation Of Privacy. On occasion, the Authority may need to access its Technology Resources including computer files, electronic mail messages, and voicemail messages. Employees should understand, therefore, that they have no right of privacy with respect to any messages or information created, collected, or maintained on the Authority's Technology Resources, including personal information or messages. The Authority may, at its discretion, inspect all files or messages on its Technology Resources at any time for any reason. The Authority may also monitor its Technology Resources at any time in order to confirm compliance with its policies, for purposes of legal proceedings, to investigate misconduct, to locate information, or for any other business purpose.

i. Passwords. Certain of the Authority's Technology Resources can be accessed only by entering a password or using login credentials. Passwords and login credentials are intended to prevent unauthorized access to information. Passwords and login credentials do not confer any right of privacy upon any employee of the Authority. Thus, even though employees may maintain passwords or be provided with login credentials for accessing Technology Resources, employees must not expect that any information maintained on Technology Resources, including electronic mail and voicemail messages, are private. Employees are expected to maintain their passwords and login credentials as confidential. Employees must not share passwords or forward login credentials unless authorized by the General Manager and must not access coworkers' systems without express authorization.

j. Data Collection. The best way for employees to ensure the privacy of personal information is not to store or transmit it on the Authority's Technology Resources. So that employees understand the extent to which information is collected and stored, examples of information currently maintained by the Authority are provided below. The Authority may, however, in its sole discretion, and at any time, alter the amount and type of information that it retains:

1. Telephone Use and Voicemail: Records are kept of all calls made from and to a given telephone extension. Although voicemail is password-protected, an authorized administrator can listen to voicemail messages and also reset the password.

2. Electronic Mail: Electronic mail is backed up and archived. Although electronic mail is password-protected, an authorized administrator can read electronic mail and also reset the password.

3. Desktop Facsimile Use: Copies of all facsimile transmissions are maintained in the facsimile server.

4. Document Use: Each document stored on Authority computers has a history that shows which users have accessed the document for any purpose.

5. Internet Use: Internet sites visited, the number of times visited, and the total time connected to each site are recorded and periodically monitored.

k. Deleted Information. Deleting or erasing information, documents, or messages maintained on the Authority's Technology Resources is, in most cases, ineffective. All employees should understand that any information kept on the Authority's Technology Resources may be electronically recalled or recreated regardless of whether it may have been "deleted" or "erased" by an employee. Because the Authority periodically backs up all files and messages, and because of the way in which computers reuse file storage space, files and messages may exist that are thought to have been deleted or erased. Therefore, employees who delete or erase information or messages should not assume that such information or messages are confidential or were ever confidential. If a legal dispute arises, or may arise in the future, it may be unlawful to attempt to delete or erase certain information. Employees shall fully comply with Authority policy regarding retention or destruction of information.

l. The Internet And Online Services. The Authority provides authorized employees access to online services such as the Internet. The Authority expects that employees will use these services in a responsible way and for business-related purposes only. Under no circumstances are employees permitted to use the Authority's Technology Resources to access, download, or contribute to Internet sites that contain inappropriate content such as that which is discriminatory, harassing, defamatory, obscene, indecent, threatening, or that otherwise could reasonably adversely affect any individual, group, or entity.

m. Confidential Information. The Authority is very sensitive to the issue of protection of trade secrets and other confidential and proprietary information of the Authority as well as that of its business partners, vendors, and customers ("Confidential Information"). Therefore, employees are expected to use good judgment and to adhere to the highest ethical standards when using or transmitting Confidential Information on the Authority's Technology Resources.

Confidential Information should not be accessed through the Authority's Technology Resources in the presence of unauthorized individuals. Similarly, Confidential Information should not be left visible or unattended. Moreover, any Confidential Information transmitted via Technology Resources should be marked with the following confidentiality legend: "This message contains confidential information. Unless you are the addressee (or authorized to receive for the addressee), you may not copy, use, or distribute this information. If you have received this message in error, please advise _____ immediately at _____ or return it promptly by mail."

Employees should adhere to Authority's security policy with regard to Confidential Information and take all appropriate measures to safeguard the confidentiality and security of such information. Employees should avoid sending Confidential Information via the Internet, except when absolutely necessary. Employees should also verify electronic mail addresses before transmitting any messages containing Confidential Information.

XI. SOFTWARE USE

A. LICENSE RESTRICTIONS

All software in use on the Authority's Technology Resources is officially licensed software. No software is to be installed or used that has not been duly paid for and licensed appropriately for the use to which it is being put. No employee may load any software on the Authority's computers, by any means of transmission, unless authorized in writing in advance by the General Manager and thoroughly scanned for viruses or other malware prior to installation.

a. Software For Home Use. Before transferring or copying any software from a Authority Technology Resource to another computer or other device, employees must obtain written authorization from the General Manager. It is the employee's responsibility to adhere to applicable licensing requirements, including not making or distributing unauthorized copies of software to others. Upon departure from the Authority, it is the employee's responsibility to remove all Authority software from non-Authority computers and other devices on which Authority software has been installed. If an employee sells or otherwise transfers out of his or her own possession or control his or her own personally owned computer, he or she must delete all Authority software prior to such sale or other transfer.

b. Security. The Authority has installed a variety of programs and devices to ensure the safety and security of the Authority's Technology Resources. Any employee found tampering with or disabling any of the Authority's security devices will be subject to discipline up to and including termination.

To maintain the effectiveness of the Authority's security measures, employees should use only secure networks established by the Authority to access or use Confidential Information. Such information may not be downloaded, stored, or copied onto any non-Authority equipment or media (including personally owned computer, handheld devices, external memory devices, or disks) without prior written approval of the General Manager. If Confidential Information is downloaded, stored, or copied onto non-Authority equipment or media, employees must take all appropriate measures to safeguard against loss, theft, damage, or breach of such equipment or media. If Confidential Information is downloaded, stored, or copied onto non-Authority equipment or media, employees must permanently delete such information prior to selling or otherwise transferring out of their own possession or control such equipment or media. If Confidential Information is downloaded, stored, or copied onto non-Authority equipment or media and employee resigns, is terminated, or is requested to do so by management, employees must delete all Confidential Information they received, including any and all copies thereof. Similarly, employees may not send Confidential Information to their personal email accounts, even for work-related purposes, without prior written approval of the General Manager.

Any loss or suspected loss of Confidential Information, or any suspicious activity such as external backing attempts or unusual internal activity, should be reported immediately to Authority management.

c. Remote Access To Technology Resources. The Authority may, at its sole discretion, provide certain employees with remote access systems such as a laptop, smartphone, tablet, or other personal organizer to allow such employees to handle the tasks associated with their jobs while working away from the office. Employees must take care to ensure the security of all Authority-provided equipment. Employees must not share network passwords or other PINs with anyone. As soon as an employee believes Authority-provided equipment is lost or that the security and confidentiality of the data on that equipment has been compromised, he or she must notify the General Manager. If Authority-provided equipment is lost, or if it is damaged as a result of carelessness, employees may be responsible for replacement fees. The Authority-provided remote access system should only be used for Authority-related business. The Authority may decide that it is no longer necessary for certain employees to possess a remote access system and their ability to use such systems may be discontinued, in which case such employees are expected to return any Authority-issued remote access systems in accordance with Authority's "Authority Property" policy.

Use of public or home networks, such as unencrypted WiFi networks, can be a threat to the security and reliability of the Authority's Technology Resources. Accordingly, employees must only access Authority Technology Resources via means that are specifically approved by the General Manager.

d. Electronic Mail Guidelines. Employees are expected to use sound judgment with respect to use of the Authority's electronic mail ("email"). All employees should adhere to the following with respect to use of email:

1. *Always ask before sending an email if it is the appropriate medium of communication.* When communicating about a sensitive subject, consider whether email is the appropriate medium or whether using the phone rather than email might be more appropriate (but keep in mind that voicemail is similar to email; voicemail may be stored on a computer server and may be forwarded to third parties).

2. *Use the "front page" test.* Assuming that email is the appropriate medium of communication, each email should be treated as a formal written document. Do not write anything in an email that could not be printed on the front page of the newspaper. Off-the-cuff, sarcastic, or angry comments can come back to haunt the author.

3. *Email is part of the workplace environment.* Email containing rude and insensitive comments is not only personally embarrassing, but also may serve as the basis for legal liability. Employees and managers should exercise the same care and sensitivity in communicating via email as they would when communicating in person or in letters. Offensive email received from others should not be forwarded, and the recipient should ask the sender to refrain from sending inappropriate email.

4. *Provide context.* As with other forms of communication, there is a risk that an email message may be taken out of context. To reduce the risk that the message will be taken out of context, consider including the original message to which the reply email relates.

5. *Know your audience.* When sending an email, always double-check to whom the email is addressed, especially when using the “reply to all” button. Ask whether it is appropriate for each addressee to receive the email and whether sending the email to a particular addressee will result in the unauthorized disclosure of Confidential Information. If in doubt, remove the doubted addressee.

6. *Avoid using a home or personal computer for business purposes.* If there is any concern that a legal dispute or litigation involving the Authority and a third party may require producing one’s hard drive from a home or personal computer, the employee should not use the device for business-related purposes. Email relating to Authority business, even though stored on a home or personal computer, is recoverable and discoverable in litigation.

e. Audits. The Authority may perform auditing activity or monitoring to determine compliance with these policies. Audits of software and data stored on the Authority’s Technology Resources may be conducted without warning at any time.

XII. SOCIAL MEDIA POLICY

A. STATEMENT OF POLICY

At the Authority, we understand that social media can be a fun and rewarding way to share one’s life and opinions with family, friends, and coworkers around the world. The Authority respects the right of employees to use them as a medium of self-expression. However, use of social media also presents certain risks and carries with it certain responsibilities. To assist employees in making responsible decisions about their use of social media, the Authority has established these guidelines for appropriate use of social media. This policy applies to all employees who work for the Authority. All employees need to follow these requirements when posting on social media.

B. GUIDELINES

In the rapidly expanding world of electronic communication, social media can mean many things. Social media includes all means of communicating or posting information or content of any sort on the internet, including to an employee’s own or someone else’s web log or blog, journal or diary, personal website, social networking or affinity website, web bulletin board or a chat room, whether or not associated or affiliated with the Authority, as well as any other form of electronic communication.

The same principles and guidelines found in the Authority’s policies apply to the employees’ activities online. Ultimately, employees are solely responsible for what they post online. Before creating online content, employees should consider some of the risks and rewards that are involved. Employee conduct that adversely affects job performance, the performance of fellow employees or otherwise adversely affects customers, suppliers, people who work on behalf of the Distractor the Authority’s legitimate business interests may result in disciplinary action up to and including termination.

a. Know And Follow The Rules. Employees should carefully read these guidelines and the Authority’s employment policies that address social media, including the Authority Property: Confidential and Personal Information Policy, the External Communications Policy, the Equal Employment Opportunity Policy, and the Policy Against Harassment,

Discrimination, and Retaliation, and ensure their postings are consistent with these policies. Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject employees to disciplinary action up to and including termination. Employees should not have an expectation of privacy with respect to information or communications that they post using the Authority's computers or networks. The Authority has the right to monitor all activity on its equipment and systems.

b. Exercise Best Judgment And Discretion. Employees should always be fair to fellow employees and people who work on behalf of the Authority. Also, employees should keep in mind that they are more likely to resolve work-related complaints by speaking directly with coworkers or by utilizing any of the Authority's procedures for raising concerns or complaints (i.e., the Authority's Open Door Policy or Procedure for Reporting Employee Complaints, or for concerns involving suspected harassment, discrimination or retaliation, by using the complaint reporting procedure described in the Policy Against Harassment, Discrimination, and Retaliation). Nevertheless, if employees decide to post complaints or criticism, they should avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening, or intimidating, that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, national origin, sex, disability, religion, or any other status protected by law or Authority policy. Employees are personally responsible for what they post, and the Authority will not assume any liability for those statements.

c. Be Honest, Accurate, And Transparent. Employees should strive to remain honest and accurate when posting information or news, and if they make a mistake, they should be open about it and correct it quickly. This includes being open about any previous posts they have altered. The internet archives almost everything; therefore, even removed or deleted posts can be searched. Employees should never post any information or rumors that they know to be maliciously false about the Authority, fellow employees or people working on behalf of the Authority. When using social media, employees should comply with the site's terms of service, acceptable use policy and any other posted guidelines.

d. Post Only Appropriate And Respectful Conduct

- Employees must maintain the privacy of the Authority's non-public, proprietary information. Employees are prohibited from posting internal reports, memoranda, policies, procedures, work product or attorney-client privileged communications or other internal, proprietary communications.

- Employees should not create a link from their blog, website, or other social networking site to the Authority's website without identifying themselves as a Authority employee. In addition, they must use their best judgment and exercise discretion when linking to people on social media sites. Coworkers and members of the public may see employee connections and make judgments about them or their work.

- Employees must not violate copyright, trade secret, fair use, privacy, libel and defamation, federal securities and financial disclosure laws.

- Employees should express only their personal opinions. They should never represent themselves as a spokesperson for the Authority. Employees are not authorized to speak on behalf of the Authority unless given specific prior written approval from the Authority. If the Authority is a subject of the content employees are creating, employees should be clear that their views do not represent those of the Authority, fellow employees, or people working on behalf of the Authority. If employees do publish a blog or post online related to the work they do or subjects associated with the Authority, they should make it clear that they are not speaking on behalf of the Authority. It is best to include a disclaimer such as “The postings on this site are my own and do not necessarily reflect the views of the Authority.” Employees may not promote any of the Authority’s products or services without fully disclosing their relationship with the Authority.

- Employees should respect others in the online community. They should not use ethnic or racial slurs, or obscenity, and avoid personal attacks or threats.

- Employees who travel internationally should be careful to avoid making online comments that are openly critical or hostile of the countries to which they plan future travel (including the countries’ governments, ruling parties, officials, and religious values), as some governments have criminal penalties for such online statements, including imprisonment.

e. Using Social Media At Work. Employees should refrain from using social media while on work time, unless it is work-related as authorized by their supervisor or consistent with the Authority’s policies. Also, employees may not use the Authority’s email addresses to register on social networks, blogs, or other online tools utilized for personal use.

f. Retaliation Is Prohibited. The Authority prohibits taking negative action against any employee for reporting a possible deviation from this policy or for cooperating in an investigation. Any employee who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination. Nothing in this policy is intended to discourage or prohibit Authority employees from discussing wages or terms and conditions of employment with other employees or third parties. This Policy will be administered in compliance with applicable laws and regulations.

g. Media Contacts. Employees who are contacted by the media should not speak on the Authority’s behalf without contacting the General Manager. All media inquiries should be directed to them.

h. Questions Regarding This Social Media Policy. Employees with any questions or who need further guidance should contact the General Manager.

XIII. PERSONAL USE OF FACILITIES AND TOOLS

The Authority facilities and tools are to be used to support its mission. Authority staff may not use the organization’s resources (including any person, money, or property) under their control for personal benefit or gain, or for the benefit or gain of other individuals or organizations. Personal use of the Authority’s Facilities, tools or equipment is not permitted.

XXIV. AUTHORITY VEHICLES

Authority vehicles are for Authority business only, and only authorized employees may drive Authority vehicles. Employees' family members and other unauthorized persons may not operate these vehicles unless an emergency arises. The transportation of non-Authority employees or members of an employee's family requires prior approval by the General Manager. **UNDER NO CIRCUMSTANCES MAY AN EMPLOYEE TRANSPORT A HITCHHIKER IN AN AUTHORITY VEHICLE.**

It is the policy of the Authority to ensure that all of its vehicles are operated in a safe and legal manner. For safety and liability reasons, the right-of-way is always given to other drivers on private roads. Seat belts shall be worn at all times in vehicles and equipment so equipped.

Employees operating Authority vehicles and equipment are solely responsible for the care and safe operation of that vehicle or equipment. Employees are expected to obey traffic laws at all times. Accordingly, employees will be held responsible for the defense of any Vehicle Code violation, and the payment of any fines consistent with California law. Employees receiving a citation while driving a Authority vehicle or operating a Authority vehicle that is involved in an accident, whether or not damage is involved, shall immediately report the incident to the General Manager.

All Vehicles have hands-off devices for use with Authority cell phones. If road or other conditions make it unsafe to operate the vehicle while using a hands-free device to participate in the phone call, safely pull off the road and park your vehicle before talking on the phone. These rules are equally applicable to the process of initiating and receiving calls while driving on Authority business or during Authority hours.

An employee assigned or authorized to drive an Authority vehicle is responsible for all aspects of that vehicle's operation and maintenance (although the employee is not required to pay for the below items or services), including, but not limited to, the following:

- The upkeep of the vehicle (gas, oil, cleaning, etc.);
- Maintenance and servicing of the vehicle, which will be performed on the Authority's premises;
- Recording of mileage on the Vehicle Log;
- Reporting all gas, oil and parts usage;
- Exercising care and good judgment while driving; and
- Submitting accident or damage reports to the Authority.

A violation of these rules or excessive or avoidable traffic and parking violations may result in disciplinary action, up to and including termination.

The vehicle fleet will be monitored by GPS tracking. For information regarding vehicle tracking refer to the Authority's Fleet Monitoring Policy.

XXV. PREVENTATIVE MAINTENANCE FOR VEHICLES, EQUIPMENT AND TOOLS

All tools, equipment and vehicles must be properly maintained so that workers are not endangered. Construction regulations require inspections of vehicles, tools, machines and equipment before use. Preventative maintenance is the systematic care and protection of tools, equipment, machines and vehicles in order to keep them in a safe, usable condition, limit downtime and extend productivity. We must always be aware that maintenance tasks themselves are potentially hazardous and can result in injury.

This policy has been included in our Employee Handbook to highlight the importance of proper maintenance as a vital part of a safety program. In addition to ensuring that workers use the tools and equipment properly, it is vital that tools and equipment be properly inspected, maintained, and kept in good repair.

It is our policy to ensure that all tools, equipment and vehicles are well maintained in order to reduce the risk of accidents or injuries.

- Only properly trained workers are to use tools, equipment and vehicles.
- Inspect all tools, equipment and vehicles before using.
- For vehicles, inspection will consist of doing a circle check.
- Maintenance schedules for all tools, equipment and vehicles are to be respected.
- Supervisors are responsible for conducting a bi-weekly inspection of the tools and equipment which they are using.
 - If at any time an employee judges that a tool, equipment or vehicle is unsafe for use, they are to properly tag the item and inform the supervisor immediately.
 - Tools, equipment or vehicles that are tagged unsafe shall be either repaired or replaced. The Superintendent and Shop Supervisor shall be informed.

As a reminder:

- Always use Hand and Power Tools Safely
- Select the right tool for the job
- Keep tools in good condition
- Use tools the correct way
- Keep tools in a safe place

a. Operator Qualifications and Training. All individuals who operate our mobile equipment, cranes, vehicles etc. will have the appropriate skills, accreditation and/or certification. The approval process includes the following: Possession of a valid driver's license appropriate to the type of equipment to be operated. Possession of a valid Medical Examiner's Certificate appropriate to the vehicles and/or equipment to be operated and any other required certifications, such as Qualified Applicator Certificate for pesticide use, Crane Operator Certification etc.

The operator should be trained in the following: Their responsibilities to operate the equipment in a safe manner; Familiarity and comprehension of safety requirements for the piece

of mobile equipment which they intend to operate; Manufacturer's operating and maintenance procedures; Hand signals and/or other requirements set forth by the Authority.

b. Pre-operation checks. Pre-trip inspections are necessary to ensure the unit is safe to operate both from the personnel standpoint and for the equipment; that is, all fluids must be at the correct level and all components must be intact. Before initiating your pre-trip inspection, check the cab area for other operators and others who may be working around the equipment. The operator should walk completely around the equipment looking underneath the equipment and in the engine compartment. After completion of the walk-around check all items listed on the pre-trip inspection form and document accordingly. Give the completed pre-trip inspection forms to your supervisor at the end of your work shift.

For Watermen, pumping plants shall be checked daily during operation. This includes checking the oil levels in the pump motors and ensuring oil drippers are functioning properly. You should also be walking the perimeter and through the plant listening for noises and/or vibrations that are inconsistent with normal operations, this includes brush arm assemblies and sediment pumps. Complete all information on the Daily Water Operations Report for each pumping plant and turn in completed report sheets to your supervisor on Monday morning.

c. Records.

The Shop Supervisor is responsible for scheduling maintenance intervals, maintaining records, and inventories. These records should document what maintenance work was performed, when, and by whom.

XXVI. SMOKING IN AUTHORITY BUILDINGS, VEHICLES AND EQUIPMENT

California law prohibits smoking inside Authority buildings. This includes Authority vehicles and equipment as well as all buildings. Smoking is permitted in those locations that have been specifically designated as smoking areas by the Authority. In situations where the preferences of smokers and nonsmokers are in direct conflict, the preferences of nonsmokers will prevail. An employee who violates this policy may be subject to discipline, including dismissal, and may also be subject to a fine imposed by the State of California. This policy applies to employees, customers, and visitors.

XXVII. RULES OF CONDUCT, DISCIPLINE AND TERMINATION

A. JOB PERFORMANCE EVALUATIONS

Performance reviews provide the Authority an objective, consistent, and fair way to assess each employee. The evaluation process is designed to communicate expected standards of performance and to discuss past performance, areas where improvement is needed and career development.

The employee's supervisor will evaluate all full-time and part-time employees prior to the expiration of their introductory period, and on an annual basis thereafter. The Authority may evaluate employees more frequently at the request of either the supervisor or the employee. The Authority will ask employees to sign their evaluation forms. The employee's signature acknowledges that the review took place.

B. EMPLOYEE CONCERNS/PROBLEM RESOLUTION

The Authority encourages employees that may be experiencing work performance problems, employee-supervisory concerns, peer disturbances or other concerns to bring them to the attention of your respective supervisor. If your supervisor is involved in the situation or does not respond to the complaint in a reasonable amount of time, advise the Superintendent of the situation. If the Superintendent cannot provide an adequate resolution, employees should bring the matter to the attention of the Manager, who will try to reach a final binding solution.

C. EMPLOYEE CONDUCT

Rules outlining acceptable conduct of employees are necessary to insure proper Authority operations and for the benefit and protection of all employees. Examples of impermissible conduct that could lead to discipline are identified below to promote an understanding of what is considered unacceptable conduct and to encourage consistent action by management in the event of violations. However, it is impossible to provide an exhaustive list of types of conduct that could result in disciplinary action. The following list, therefore, only contains some examples of conduct that could lead to disciplinary action, including possible termination:

1. Unsatisfactory job performance;
2. Unexcused absence;
3. Excessive absenteeism/tardiness;
4. Using abusive or vulgar language, or causing disruption to the workplace or to fellow employees or visitors;
5. Unauthorized possession or removal of property, records, or other materials that do not belong to you;
6. Sexual harassment or other unlawful harassment of another employee;
7. Use or possession of illegal drugs or alcohol while on duty or appearing for work under the influence of drugs or alcohol;
8. Non-compliance with safety or health rules or practices or engaging in conduct that creates a safety or health hazard;
9. Insubordination, refusing to follow a manager, superintendent and/or supervisors directions, or other disrespectful conduct towards management staff;
10. Carelessness or negligence when performing duties;
11. Dishonesty, falsification of forms, records, or reports including, but not limited to, time sheets, employment applications and member records;
12. Any action indicating a disrespect or disregard for the Authority, it's vendors, suppliers or clients;
13. Release of confidential information about the Authority or its members;
14. Destroying or willfully damaging the Authority's or another employee's property, records, or other materials;
15. Leaving the Authority's boundaries without approval prior to the end of a scheduled work day;
16. Giving false or misleading information during the application and/or selection process;
17. Violation of work rules;
18. Unprofessional attitude;

19. Failure to report involvement in an accident occurring on the Authority's premises, or involving Authority vehicles and equipment, or giving false information in accident or insurance reports;
20. Threatening or intimidating other employees or supervisors;
21. Failure to immediately report the loss of a California driver's license due to suspension, withdrawal, forfeiture, or confiscation by any court of law or by the California Division of Motor Vehicles. This rule applies only to those employees who must maintain such a license as a condition of their employment; and
22. Inability to get along with co-workers, staff members, water users, vendors, and/or Board Members.

Again, this list is not exhaustive. Violation of Authority policies and rules may warrant disciplinary action, which may include verbal warnings, written warnings and/or suspension. The system is not formal and the Authority may, in its sole discretion, utilize whatever form of discipline is deemed appropriate under the circumstances, up to and including termination of employment. In the event a written warning is appropriate, an Employee Warning Notice may be prepared by the supervisor, at his/her discretion, describing the incident or violation and action to be taken. The Notice will be submitted to the employee for his/her review, comments and signature. A copy will be issued to the employee and the original placed in the employee's personnel record file.

XXVIII. EMPLOYMENT AT WILL

Nothing in this guideline is intended to alter the at-will status of employment with the Authority. Either you or the Authority may terminate the employment relationship at any time with or without cause and with or without prior notice. The Authority reserves the right to terminate any employment relationship, to demote, and to otherwise discipline an employee without resort to the above disciplinary procedures.

XIX. POLICY AGAINST HARASSMENT

The Authority is committed to providing a work environment free of harassment. The Authority therefore prohibits sexual harassment and harassment based on race, color, creed, gender, gender identity and expression, religion, marital status, registered domestic partner status, age, national origin or ancestry, physical or mental disability, medical condition including genetic characteristics, sex (including pregnancy, childbirth, breastfeeding, or related medical conditions), sexual orientation, military or veteran status, domestic victim status or any other basis made unlawful by federal, state or local law or ordinance or regulation. Such discrimination is unlawful and will not be tolerated. This policy prohibits unwanted harassment of or by any employee of the Authority, including supervisors and co-workers. It also extends to Landowners, Water Users, vendors, independent contractors and others doing business with the Authority.

Harassment in any form, including verbal, physical and visual conduct, threats, demands and retaliation, is prohibited. Sexual harassment is defined by the Fair Employment and Housing Commission as "unwanted sexual advances, or visual, verbal or physical conduct of a sexual nature." Unlawful harassment includes, but is not limited to:

1. Verbal conduct such as epithets, derogatory comments, slurs, or unwanted sexual advances, invitations, jokes, or comments;
2. Visual conduct such as derogatory posters, photography, cartoons, drawings, or gestures;
3. Physical conduct such as assault (unwanted touching), blocking normal movement, or interfering with work directed at an individual because of his or her sex or any other basis;
4. Threats and demands to submit to sexual requests in order to keep a job or avoid some other loss, and offers of job benefits in return for sexual favors;
5. Retaliation for having reported or threatened to report harassment; or
6. Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, and suggestive or obscene letters, notes, or invitations.

Although not required, if an employee feels that someone's conduct is harassing or improperly offensive, the employee should promptly and firmly tell the offender that the behavior is unwelcome. Doing so places the offender on notice that someone considers his or her conduct inappropriate.

If an employee thinks he or she is being harassed on the job because of gender, race, or other protected basis, or if an employee observes behavior he or she believes to be in violation of this policy, the employee should immediately contact his or her immediate supervisor, the General Manager, or any other supervisor with whom the employee feels comfortable. The Authority will not retaliate against anyone for reporting any incidents of harassment, for making any complaints of harassment, or for participating in any investigation.

Supervisors must refer all harassment complaints to the General Manager. Upon receiving notice of any incident reported under this policy, qualified personnel shall promptly undertake a thorough, fair, and timely investigation of the harassment allegations, allowing each party to present relevant facts. The process will be completed as soon as possible to provide for timely closure of the investigation. Confidentiality will be maintained to the extent possible.

Any employee who, after an investigation has been conducted, is found to have violated this policy, will be subjected to remedial action commensurate with the severity of the offense. If the harasser is a nonemployee, the Authority will take reasonable steps to address the situation. This may include discipline of the harasser, up to and including termination. The Authority will also act to deter any further harassment, and will remedy any loss to the complaining employee resulting from harassment.

All employees must report any incidents immediately so that complaints can be quickly and fairly resolved. The California Department of Fair Employment and Housing ("DFEH") 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. The Authority has a brochure on sexual harassment which is available

to all employees for additional information. The Authority expects its employees to act in a professional and respectful manner at all times.

In addition, the Authority desires to avoid misunderstandings, complaints of favoritism, claims of sexual harassment and employee dissension that may result from personal or social relationships amongst employees. Therefore, the Authority asks that if employees become romantically involved with one another they disclose their relationship to an appropriate supervisor with whom they feel comfortable. The supervisor should notify the Superintendent as appropriate. Please refer to the Authority's policy regarding the employment of relatives for additional information.

XX. WORK PLACE VIOLENCE

The safety and security of Authority employees and the Public are very important to the Authority. Threats, threatening behavior, acts of violence, or any related conduct which disrupts another's work performance or the Authority's ability to execute its daily business will not be tolerated.

To ensure that the Authority maintains a workplace safe and free of violence for all employees, the Authority prohibits the possession or use of firearms or other dangerous weapons by employees while on duty, with the limited exception (noted below) of those employees given written or electronic approval to carry firearms. An Employee with a license to carry a concealed weapon may only carry the weapon while on duty with Authority's written or electronic approval. It will also be required that the employee with a license to carry a concealed weapon will be fully trained for California and follow all State and federal laws. This policy applies to all employees while on duty.

Any person who makes threats, exhibits threatening behavior, or engages in violent acts on Authority property may be removed from the premises pending the outcome of an investigation. Threats, threatening behavior, or other acts of violence off Authority property, but directed at Authority employees, Authority members or the public while conducting business for the Authority, is a violation of this policy.

Off-site threats include but are not limited to threats made via telephone, fax, electronic or conventional mail, or any other communication medium. Violations of this policy will lead to disciplinary action that may include termination, arrest, and prosecution. In addition, if the source of such inappropriate behavior is a member of the public, the response may also include barring the person(s) from Authority property, termination of business relationships with that individual, and/or prosecution of the person(s).

Any employee that receives a protective or restraining order that lists Authority premises as a protected area is required to provide the General Manager with a copy of such order.

A. FIREARMS IN THE AUTHORITY

In order to ensure a safe environment for employees and the Public, the Authority prohibits employees from wearing, transporting, storing or possessing firearms or other dangerous weapons while on duty. Any employee in possession of a firearm or other weapon while on duty may face disciplinary action including termination. **Possession of a valid concealed carry permit by an**

employee does not exempt such employee from this policy. In such event, the employee must have written or electronic approval by the Manager and/or Board of Trustees before possessing a firearm while on duty.

B. DEFINITIONS

Firearms or other dangerous weapons means any device from which a projectile may be fired by any means; explosive, elastic launching devices, compressed gas or air, or hand thrown (this includes firearms, archery/crossbows/slingshots, simulated firearms such as airsoft and pellet guns, and spears).

C. EXEMPTIONS

This policy does not apply to:

- Authority designated staff who have been approved in writing or by electronic means such as email by the Board of Trustee or Manager (an example would be for the purposes of rodent control). The approved weapon must be kept safe and secure from unauthorized use; if a firearm, it must be unloaded with a trigger lock while not in use and securely locked up at all times. The Authority will provide additional gun insurance for the designated employees. California authorized Concealed Carry Permit holders may be considered trained on a case by case basis.
- Authority staff while off duty.

In the event the Authority believes an employee poses a risk of danger to themselves or others, the Authority reserves the right to make further inquiry as to whether an employee has a weapon on Authority property. In the event the Authority learns that an employee has a firearm in his or her vehicle, the Authority has the right to question any employee in order to determine that the above conditions are satisfied.

If it is found that the employee is not in compliance with the Authority policy, the employee may be subject to disciplinary action, up to and including termination.

D. REPORTING WEAPONS IN THE BUILDING

Any employee who is aware of a weapon of any type or form within the Authority facility or boundary not authorized by Management, has an obligation to report this information immediately to his/her Supervisor. It is the responsibility of Management to do what is necessary to ensure the safety of all individuals in the Authority.

XXI. DRUG AND ALCOHOL POLICY

A. PURPOSE OF GUIDELINE

It is the intent of the Authority to maintain a workplace that is free of drugs and alcohol and to discourage drug and alcohol abuse by its employees. Employees who are under the influence of a drug or alcohol on the job compromise the Authority's interests and endanger their own health and safety and the health and safety of others. Substance abuse in the workplace can also cause a number of other work-related problems, including absenteeism and tardiness, substandard job performance, increased workloads for co-workers, behavior that disrupts other employees, and inferior quality in products or service.

To further its interest in avoiding accidents, to promote and maintain safe and efficient working conditions for its employees, and to protect its business, property, equipment, and operations, the Authority has established this Guideline concerning the use of alcohol and drugs. As a condition of continued employment with the Authority, each employee must abide by this Guideline.

B. DEFINITIONS

For purposes of this Guideline:

(1) "Illegal drugs or other controlled substances" means *any* drug or substance that (a) is classified as unlawful under federal, state or local laws (including marijuana); or (b) is legally obtainable but has not been legally obtained; or (c) has been legally obtained but is being sold or distributed unlawfully.

(2) "Legal drug" means any drug, including any prescription drug or over-the-counter drug, that has been legally obtained and that is not unlawfully sold or distributed.

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

(4) "Reasonable suspicion" includes a suspicion that is based on specific personal observations such as an employee's manner, disposition, muscular movement, appearance, behavior, speech or breath odor; information provided to management by an employee, by law enforcement officials, by a security service, or by other persons believed to be reliable; or a suspicion that is based on other surrounding circumstances.

(5) "Possession" means that an employee has the substance on his or her person or otherwise under his or her control.

C. PROHIBITED CONDUCT

a. Scope. The prohibitions of this section apply whenever the interests of the Authority may be adversely affected, including any time an employee is:

- (1) On Authority premises;
- (2) Conducting or performing Authority business, regardless of location;
- (3) Operating or responsible for the operation, custody, or care of Authority equipment or other property; or
- (4) Responsible for the safety of others in connection with, or while performing, Authority-related business.

b. Alcohol. The following acts are prohibited and will subject an employee to discharge:

- (1) The unauthorized use, possession, purchase, sale, manufacture, distribution, transportation, or dispensation of alcohol; or
- (2) Being under the influence of alcohol from unauthorized consumption.

c. Illegal Drugs. The following acts are prohibited and will subject an employee to discharge:

- (1) The use, possession, purchase, sale, manufacture, distribution, transportation, or dispensation of any illegal drug or other controlled substance; or
- (2) Being under the influence of any illegal drug or other controlled substance.

d. Legal Drugs. The following acts are prohibited and will subject an employee to discharge:

- (1) The abuse of any legal drug;
- (2) The purchase, sale, manufacture, distribution, transportation, dispensation, or possession of any legal prescription drug in a manner inconsistent with law; or
- (3) Working while *impaired* by the use of a legal drug whenever such impairment might:
 - (a) Endanger the safety of the employee or some other person;
 - (b) Pose a risk of significant damage to Authority property or equipment; or
 - (c) Substantially interfere with the employee's job performance or the efficient operation of the Authority's business or equipment.

D. DISCIPLINARY ACTION

a. Discharge for Violation of Guideline. A first violation of this Guideline will result in *immediate discharge* whenever the prohibited conduct:

- (1) Caused injury to the employee or any other person, or, in the sole opinion of management, endangered the safety of the employee or any other person;
- (2) Resulted in significant damage to Authority property or equipment, or, in the sole opinion of management, posed a risk of significant damage;
- (3) Involved the sale or manufacture of illegal drugs or other controlled substances;
- (4) Involved the possession, distribution, or dispensation of illegal drugs or other controlled substances [or alcohol] [in a quantity greater than for personal use];
- (5) Involved an employee who had not completed the introductory period or was a casual, seasonal, or temporary employee; or
- (6) Involved the failure of an employee to report a criminal conviction, as required by Sections IV C and V C, below.

b. Discretion Not to Discharge. In circumstances other than those described in Paragraph A, above, the Authority, in the discretion of management, may choose not to discharge an employee for a first violation of this Guideline if the employee satisfactorily participates in and completes an approved drug or alcohol abuse 'assistance' or rehabilitation program when recommended by the Authority.

c. Effect of Criminal Conviction. An employee who is convicted under a criminal drug statute for a violation occurring in the workplace or during any Authority-related activity or event will be deemed to have violated this Guideline.

d. Written Warning. An employee who is not discharged for a first violation of this Guideline will receive a final written warning.

e. Effect of Second Violation. A second violation of this Guideline at any time will result in immediate discharge.

f. Effect of Discharge on Eligibility for Rehire. Employees who are discharged for a violation of this Guideline will not be eligible for rehire by the Authority.

E. DRUG-FREE AWARENESS PROGRAM

a. Employee Awareness. The Authority has established a Drug-Free Awareness Program that is designed to inform employees about the dangers of drug abuse in the workplace and to help ensure that employees are familiar with this Guideline and with the disciplinary actions that can result from a violation of this Guideline. From time to time, employees will be requested to attend one of the sessions of the Drug-Free Awareness Program. During each such session, employees will be given current information about available programs offering counseling and rehabilitation.

b. Management Awareness. Managers and supervisors should be attentive to the performance and conduct of those who work with them and should not permit an employee to work in an impaired condition or to otherwise engage in conduct that violates this Guideline. When management has reasonable suspicion to believe that an employee or employees are working in violation of this Guideline, prompt action will be taken. If the employee occupies a designated safety-sensitive position, such action may include drug testing in accordance with the procedures outlined in this policy.

c. Criminal Convictions. Employees must notify the Authority of any conviction under a criminal drug statute for a violation occurring in the workplace or during any Authority-related activity or event. Employees must notify the Authority within five days after any such conviction. When required by federal law, the Authority will notify any federal agency with which it has a contract of any employee who has been convicted under a criminal drug statute for a violation occurring in the workplace.

F. USE OF LEGAL DRUGS

The Authority recognizes that employees may, from time to time, be prescribed legal drugs that, when taken as prescribed or according to the manufacturer's instructions, may result in impairment. Employees may not work while impaired by the use of legal drugs if the impairment might endanger the employee or someone else, pose a risk of significant damage to Authority property, or substantially interfere with the employee's job performance. If an employee is so impaired by the appropriate use of legal drugs, he or she may not report to work. To accommodate the absence, the employee may use accrued sick leave, or vacation time. The employee may also contact the Human Resources supervisor to determine whether or not he or she qualifies for an unpaid leave of absence, such as family care or medical leave. Nothing in this Guideline is intended to sanction the use of accrued sick leave or vacation time to accommodate absences due to the *abuse* of legal drugs. Further, nothing in this Guideline is intended to diminish the Authority's commitment to employ and reasonably accommodate qualified disabled individuals. The Authority will reasonably accommodate qualified disabled employees who must take legal drugs because of their disability.

G. UNREGULATED OR AUTHORIZED CONDUCT

a. Customary Use of Over-the-Counter Drugs. Nothing in this Guideline is intended to prohibit the customary and ordinary purchase, sale, use, possession, or dispensation of

over-the-counter drugs, so long as that activity does not violate any law or result in an employee being impaired by the use of such drugs in violation of this Guideline.

b. Off-the-Job Conduct. Unless an employee is in a designated safety-sensitive position, this Guideline is not intended to regulate off-the-job conduct, so long as the employee's off-the-job use of alcohol or drugs does not result in the employee being under the influence of or impaired by the use of alcohol or drugs in violation of this Guideline. If an employee is in a designated safety-sensitive position, he or she will be subject to drug testing as described in Section X of this Guideline.

c. Authorized Use of Alcohol. The Authority may provide alcohol for consumption at certain events, such as social functions. The consumption of alcohol at these events does not violate this Guideline.

H. CONFIDENTIALITY

Disclosures made by employees to the Human Resources supervisor concerning their use of legal drugs will be treated confidentially and will not be revealed to managers or supervisors unless there is an important work-related reason to do so in order to determine whether it is advisable for the employee to continue working. Disclosures made by employees to the Human Resources supervisor concerning their participation in any drug or alcohol rehabilitation program will be treated confidentially.

I. COUNSELING/EMPLOYEE ASSISTANCE

Employees who suspect they may have alcohol or drug problems, even in the early stages, are encouraged voluntarily to seek diagnosis and to follow through with the treatment as prescribed by qualified professionals. Employees who wish to voluntarily enter and participate in an approved alcohol or drug rehabilitation program are encouraged to contact the Human Resources supervisor who will determine whether the Authority can accommodate the employee by providing unpaid leave for the time necessary to complete participation in the program. Employees should be aware that participation in a rehabilitation program will not necessarily shield them from disciplinary action for a violation of this Guideline, particularly if discipline is imposed for a violation occurring before the employee seeks assistance.

J. DRUG TESTING

a. Testing of Applicants for Designated Safety-Sensitive Positions. As part of the Authority's employment screening process, any applicant for, to whom an offer of employment is made must pass a test for controlled substances, under the procedures described below. The offer of employment is conditioned on a negative test result. Applicants will be informed of the Authority's drug testing policy in the employment application.

b. Reasonable Suspicion Testing. If an employee occupies a designated safety-sensitive position and his or her supervisor or manager has a reasonable suspicion that the employee is working in an impaired condition or otherwise engaging in conduct that violates this Guideline, the employee will be asked about any observed behavior and offered an opportunity to give a reasonable explanation. If the employee is unable to explain the behavior, he or she will be asked to take a drug test in accordance with the procedures outlined below.

If the employee refuses to cooperate with the administration of the drug test, the refusal will be handled in the same manner as a positive test result.

c. Post-Accident Testing. If an employee occupies a safety sensitive position and is involved in an on-the-job accident where there is a reasonable probability drug use by the reporting employee was a contributing factor to the reported injury or illness, the Authority will require that employee to take a drug test in accordance with the procedures outlined below.

d. Procedures for Drug Testing. The Authority will refer the applicant or employee to an independent, National Institute on Drug Abuse (NIDA)-certified medical clinic or laboratory, which will administer the test. The Authority will pay the cost of the test and reasonable transportation costs to the testing facility. The employee will have the opportunity to alert the clinic or laboratory personnel to any prescription or non-prescription drugs that he or she has taken that may affect the outcome of the test. All drug testing will be performed by urinalysis. Initial screening will be done by EMIT II. Positive results will be confirmed by gas chromatography/mass spectrometry.

The clinic or laboratory will inform the Authority as to whether the applicant passed or failed the drug test. If an employee fails the test, he or she will be considered to be in violation of this Guideline and will be subject to discipline accordingly.

e. Acknowledgment and Consent. Any employee subject to testing under this policy will be asked to sign a form acknowledging the procedures governing testing, and consenting to (1) the collection of a urine sample for the purpose of determining the presence of alcohol or drugs, and (2) the release to the Authority of medical information regarding the test results. Refusal to sign the agreement and consent form, or to submit to the drug test, will result in the revocation of an applicant's job offer, or will subject an employee to discipline up to and including termination.

f. Confidentiality. All drug testing-records will be treated as confidential.

K. TERMINATION OR RESIGNATION

Employment with the Authority is at-will and can be terminated by the employee or the Authority at any time, with or without advance notice, and with or without cause. If an employee finds it necessary to resign, the Authority requests that, if possible, the employee provide two weeks' notice to the General Manager to aid in rescheduling the employee's workload. Absent extraordinary circumstances, when an employee has been absent for three (3) days and has not contacted his/her Supervisor, Superintendent or Manager, the Authority will assume that the employee voluntarily terminated his or her employment as of the end of the third missed day.

Employee agrees that during the time between notification of separation and last day of employment, they will cooperate fully with the Authority in all matters relating to the winding up of any pending work and the orderly transfer to the other Authority employees of the assignments for which he/she has been most recently responsible. An employee must return to the General Manager all Authority-furnished tools, equipment, keys and other property prior to the last day of employment. All confidential information received while employed with the Authority belongs

solely to the Authority and must be kept confidential even after the employment has ended. Arrangements for clearing any outstanding debts with the Authority and receiving a final paycheck should be made with the General Manager.

L. FINAL PAYCHECK

You will receive your final paycheck on the next regular scheduled pay day or earlier if it is required by law. Unused vacation will be paid and calculated in accordance with the Authority's Vacation Policy.

M. EXIT INTERVIEW AND RETURN OF AUTHORITY PROPERTY

Your Supervisor and/or the General Manager will schedule an Exit Interview with you on your last date of employment. Your Supervisor will arrangement for return of all Authority property, including Authority keys, uniforms, tools and any other item that was issued to you.

N. BENEFITS

Medical, Dental and Vision benefits end on the last day of the month of your employment. Life and Disability coverage require active employment, therefore coverage for these two ends on your last day worked. COBRA notification will be sent directly to your home.

**SITES PROJECT AUTHORITY
Acknowledgment of Receipt
of Handbook and At-Will Agreement**

After you have read this Handbook and have clarified any issues with the HR Coordinator, please complete and sign both copies of the following statement. Please fill out the form and return it to the Office.

Employee Handbook Receipt

I have received my copy of Sites Project Authority (Authority) Employee Handbook. I understand and agree that it is my responsibility to read and familiarize myself with and follow the policies and procedures contained in the Handbook.

I understand that, except for employment at-will status, any and all policies or practices can be changed at any time by the Authority. I understand and agree that, other than the Manager of the Authority, no manager, supervisor or representative of the Authority has authority to enter into any agreement, expressed or implied, for employment for any specific period of time, or to make any agreement for employment other than at-will; only the Manager has the authority to make any such agreement and then only in writing, signed by the Manager.

My signature below certifies that I understand that the foregoing agreement on at-will status is the sole and entire agreement between the Authority and me concerning the duration of my employment. It supersedes all prior agreements, understandings, and representations concerning the duration of my employment.

Employee's Signature: _____ Date: _____

Sign, date, and return this copy to the Office.